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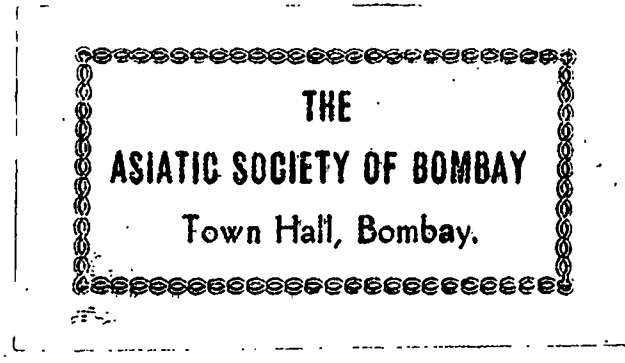

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THE

JUDGES OF ENGLAND;

WITH

SKETCHES OF THEIR LIVES,

AND

MISCELLANEOUS NOTICES

CONNECTED WITH

THE COURTS AT WESTMINSTER,

FROM THE TIME OF THE CONQUEST.

B 13 T

BY EDWARD FOSS, F.S.A.

OF THE INNER TEMPLE.

VOL. II.

29833

CONTAINING THE REIGNS OF

JOHN, AND HENRY III.

1199—1272.

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THE

JUDGES OF ENGLAND.

JOHN.

Reigned 17 years, 4 months, and 23 days; from May 27, 1199, to October 19, 1216.

SURVEY OF THE REIGN.

THERE is a peculiarity in the calculation of the regnal years of this reign, to which it will be necessary to attend in determining the real date of any document during its continuance. Under every other king, the second and succeeding regnal years commenced on the *same day of the month* on which he began to reign; but under John, the first day of each successive regnal year was absurdly fixed to be on *Ascension-day*, because his coronation, from which his reign commences, took place on that festival. Such an arrangement could not but lead to many inconveniences; for as that day is a moveable feast, not only was each regnal year of a different length, and began on a different day of the month, but in some instances several days in May in two succeeding years of Christ would occur in the same regnal year. Great confusion consequently arises, and it is often scarcely possible to fix with certainty the year of a document dated on any of the days which are thus duplicated. Sir Harris Nicolas[1]

[1] While these pages are passing through the press, the public papers announce the close of this gentleman's earthly career. The work from which I have

gives a lucid illustration of these facts in his valuable work, entitled "The Chronology of History;" from which it will be useful to extract his table showing the first and last day of each regnal year during the reign.

TABLE OF REGNAL YEARS.

Commenced.	Concluded.	Commenced.	Concluded.
I. May 27, 1199	May 17, 1200	X. May 15, 1208	May 6, 1209
II. —— 18, 1200	—— 2, 1201	XI. —— 7, 1209	—— 26, 1210
III. —— 3, 1201	—— 22, 1202	XII. —— 27, 1210	—— 11, 1211
IV. —— 23, 1202	—— 14, 1203	XIII. —— 12, 1211	—— 2, 1212
V. —— 15, 1203	June 2, 1204	XIV. —— 3, 1212	—— 22, 1213
VI. June 3, 1204	May 18, 1205	XV. —— 23, 1213	—— 7, 1214
VII. May 19, 1205	—— 10, 1206	XVI. —— 8, 1214	—— 27, 1215
VIII. —— 11, 1206	—— 30, 1207	XVII. —— 28, 1215	—— 18, 1216
IX. —— 31, 1207	—— 14, 1208	XVIII. —— 19, 1216	Oct. 19, 1217

The series of the charter, patent, close, fine and other rolls, commences in this reign.

The CHARTER ROLLS contain the royal grants to cities, boroughs, and corporations; grants of fairs, markets, free-warrens, &c. They commence in the first year of this reign, 1199, and terminate in 7 Henry VIII., 1516; after which royal grants were made in the form of patents, and recorded on the patent rolls.

here quoted, "The Chronology of History," may be well referred to as an example of his laborious and learned exertions. It is not only an useful Vade mecum for the historical explorer, but a necessary companion to the youthful student; clearing away the obstacles and explaining the difficulties which impede the progress of the latter, and supplying both with facts and dates and illustrations which may confidently be trusted. His "Synopsis of the Peerage" is an equally valuable work; and looking at its excellence, its utility, and its scarcity, it is surprising that a new edition is not undertaken, bringing it down to the present time. Besides these, his Scrope and Grosvenor controversy, and various other works, show the extent of his research and the solidity of his judgment. The regret which all those who pursue antiquarian enquiries will experience at his loss must be greatly increased by the melancholy addition to the tale; that he has shared the too common fate of authors, and has left a widow and a large family entirely unprovided for.

When a charter recites a former grant in its precise words, it is called an *inspeximus charter.*

The PATENT ROLLS, or *Rotuli Litterarum Patentium,* record grants of offices, lands, &c., patents of creation, &c. They commence in 3 John, 1201, and are so called from being open, having the great seal at the bottom.

The CLOSE ROLLS, or *Rotuli Litterarum Clausarum,* enroll all mandates, letters, and writs of a private nature. They commence in 6 John, 1204; and are so called from being folded or closed up, with the great seal on the outside. The *fine* and *liberate* rolls may be considered as branches of the close rolls.

The FINE ROLLS record general liveries of lands holden *in capite* from the crown, with fines paid for alienation, for relief, for licences to marry, and various other purposes of the like nature. In the early part of this reign they were called OBLATA ROLLS, being accounts of money, or horses, dogs, falcons, hawks, &c., *offered* to the king by way of oblation or fine for honors, offices, lands, &c. The name of fine roll was afterwards retained; and their series ends in 1641. All these rolls, both oblata and fine, of this reign have been published.

On the LIBERATE ROLLS are recorded precepts to the treasurer and chamberlains of the Exchequer for the payment of money; and orders to sheriffs to deliver possession of lands and goods which had been extended. They are so called from the order to deliver being expressed by the word "Liberate." They also contain writs of "allocate" and "computate;" being commands to *compute* with and *allow* to accountants sums they have paid in pursuance of royal commands. These precepts or writs are frequently entered on the close roll: and no separate liberate rolls exist after the reign of Henry VI.

There are two other rolls of this reign affording much interesting information.

The MISÆ ROLLS, which contain an account of the king's daily expenses. The only rolls of this series which are now extant are those of 11 and 14 John; both of which have been published.

The PRÆSTITA ROLLS record the sums of money issued out of any of the royal treasuries by way of *imprest*, advance, or accommodation; and which are afterwards to be accounted for. Only five of these rolls remain; those of 7, 12, 14, 15, and 16 John. That of 12 John has been published; and it and the Misæ roll of 11 John are peculiarly valuable, as they are the only Chancery records of those years which now exist.

When the king was abroad, the Court was regularly held at Westminster; but when he was in England his movements were so frequent that the list of the places where he held the Court would extend beyond all reasonable bounds. On most of these occasions he himself presided; and from the 5th to the 16th year of his reign numerous instances occur of his presence when fines were levied. The greatest inconvenience and expense resulted from the Court following him in his almost perpetual progresses; which, judging only from the places named on the fines, must have been regarded as an intolerable grievance. In some years the scene was changed above a dozen times, and in one (11 John) he sat in no less than twenty-four different places.[1] No one can wonder, therefore, at the complaints which arose among the suitors who were subjected to this trouble and uncertainty; nor that a remedy for it formed one of the provisions of Magna Charta.

Of that charter, which was signed on June 15, 1215, 17 John, there are several copies, differing from each other in

[1] Mr. Hunter's Preface to Fines of Richard I. and John, App. I.

various points. I refer to the edition by Sir William Blackstone, 1759.

Reserving till the next reign such remarks as may arise on that part of it which applies to this subject, I shall merely introduce here the clauses themselves.

Clause 17 declares that "Common Pleas shall not follow our Court, but shall be held in some certain place."[1]

Clause 18 ordains that "Recognitions of novel disseisin, morte d'ancestor, and last presentment to benefices, shall not be taken except in their own counties, and in this manner: — We, or, if we shall be out of the kingdom, our chief justiciary, shall send two justiciaries through every county four times a year, who, with four knights of the said counties elected by the counties, shall take the said assizes in the counties."[2]

In the copy of the charter contained in Roger de Wendover, this eighteenth clause is varied in the following manner.

It omits the assizes of last presentment to benefices, and places them in a separate clause, ordaining that they "shall always be taken before justices of the bench and there decided."[3]

Instead of the "two justiciaries" going into the counties "four times a year," it ordains that "*our* justiciaries shall go through every county once a year."[4]

And the following addition is made to the whole clause: — "And those things which, on account of the difficulty of any

[1] "Communia placita non sequantur curiam nostram, sed teneantur in aliquo certo loco."

[2] "Recognitiones de nova dissaisin, de morte antecessoris, et de ultima presentatione, non capiantur nisi in suis comitatibus, et hoc modo. Nos, vel, si extra regnum fuerimus, capitalis justiciarius noster, mittemus duo justiciarios per unumquemque comitatum per quatuor vices in anno, qui cum quatuor militibus cujuslibet comitatus electis per comitatum capiant in comitatu et in die et loco comitatus assisas predictas."

[3] "Semper capiantur coram justiciariis de banco et ibi terminantur."

[4] "Justiciarios nostros per unumquemque comitatum semel in anno."

of the articles, cannot be decided, shall be referred to our justices of the bench, and there decided."[1]

There is no doubt, however, that Roger de Wendover has taken his copy of the charter from that which was granted by Henry III., in the ninth year of his reign.

The compiler of a list of the chancellors of King John[2] has now a great advantage over the earlier writers, by the information to be derived from the publication of the records, most of which for this reign have been printed *in extenso*. The want of these in a great measure accounts for the errors into which they have fallen from too great a reliance on the historians, who are often mistaken, or on their own examination of original documents, which must have necessarily been limited and unsatisfactory. The catalogues, however, of recent authors, who cannot plead the same excuse, are not free from some mistaken assertions which a little further examination might have corrected.

The public records of this reign contain few direct entries of the disposition of the great seal, similar to those which were introduced in subsequent reigns; but much evidence of its transfer can be obtained by a careful examination and comparison of dates and facts in the various rolls which have come down to us. The patent and close rolls contain important testimony, and incidental notices appear on the Rotuli de Finibus and other rolls: but the Rotulus Chartarum affords the most abundant means of arriving at a right conclusion.

Most of the charters of this reign, and many of those of Richard I. and Henry III., are authenticated by the words

[1] "Et ea, quæ per eosdem propter difficultatem aliquorum articulorum terminari non possunt, referentur ad justiciarios nostros de banco et ibi terminantur."

[2] The principal part of the following observations formed the subject of a paper which I communicated to the Society of Antiquaries, in November, 1846, and which was printed in the Archæologia, vol. xxxii. p. 83.

"Data per manum A. B. or C. D.:" and the general impression has been that the person so subscribing was either a chancellor, or keeper of the great seal, or vice-chancellor. This mode of authentication has occasioned the discrepancy in the various lists hitherto published; some authors designating as chancellors persons whom others call keepers or vice-chancellors.

It is not to be presumed, however, that all the charters of this reign are subscribed in the manner above mentioned. They are attested in all varieties of forms: sometimes solely by the king himself, and sometimes by him in the presence of a witness or witnesses; sometimes by one witness alone, and sometimes by several; and sometimes with and sometimes without the before-mentioned additional authentication, commencing with the words "Data per manum."

Throughout the reign there are comparatively few charters which are so authenticated by the chancellors themselves. That it was not their positive duty, even when present, to affix their names to this form, is proved by the fact, occurring in multitudinous instances, of a chancellor being, *eo nomine*, one of the *witnesses*, when the formal authentication has been made by one of the so-called keepers. In every case, however, where the name of a known chancellor appears, his title is distinctly added, except in one instance to be afterwards adverted to; while, on the contrary, with respect to those who have been denominated keepers, on no one occasion is there any addition to their names, beyond the clerical dignity they happened to hold at the time.

The question, then, that first occurs is, what was the official character of those persons who thus authenticated the charters, to whose names the designation of chancellor was not added; and whether, even if it be allowed that they were in some way connected with the great seal, they have been properly designated as keepers, or vice-chancellors.

We have already seen that in the reign of Richard I., when the king went to the Holy Land, he left one seal in England, to be used by the chancellor Longchamp, whom he had deputed, with others, to rule the kingdom in his absence; and that he took another seal with him under the care of an officer, who was called vice-chancellor. These officers authenticated the charters that were granted abroad, by adding their names to the words "Data per manum;" but when they did so, they almost invariably appended the designation of "Vice Cancellarius," or "tunc agens vices Cancellarii nostri." The constant omission, then, of this title by the subscribers of the charters of King John, forms a strong presumption that they did not possess it.

Again, the fact already mentioned, that the chancellor, as chancellor, is often named as a witness to charters, the formal authentication of which is signed by one of the so-called keepers, proves that such formal subscriber was not a keeper appointed, as in Richard's reign, to act merely in the absence of the chancellor.

In addition to this, there is the converse of the fact;—many instances occurring in which one or other of these officers was a witness to charters authenticated by the chancellor himself.

Moreover, as will subsequently appear, there were, at the same period of time, two or three, and sometimes four individuals performing the same duty of authenticating the charters in this manner.

And, lastly, no document in this reign exists, evidencing any appointment of keeper or vice-chancellor, unless a single entry with regard to Ralph de Neville may be considered an exception.

It is scarcely too much to say that any one of these facts would be sufficient to ground a presumption that these officers were neither keepers of the seal nor vice-chancellors. If,

then, they were not keepers nor vice-chancellors, what character did they really bear?

There is ample evidence to show that all of them held situations about the court, with other official duties, connected with the payment or receipt of the revenue or otherwise; and that some of them were in constant attendance on the king in his perpetual movements from place to place. They were also, without exception, ecclesiastics, rewarded with benefices, and gradually promoted to various clerical dignities; —canonries, archdeaconries, deaneries, and sometimes bishopricks.

Now there were two classes of officers to whom this description would particularly apply, viz. the clerks of the Treasury, or chamber of the Exchequer, and the clerks of the Chancery.

The rolls of subsequent reigns prove that the great seal was frequently, if not usually, deposited in the treasury of the Exchequer: of course under the care of its officers, who were answerable for its safe custody, and when it was required to be used would be in attendance for the purpose of producing it. The clerks of the Chancery also were high officers, performing certain important functions; forming part of the state of the chancellor; and, when the office was vacant, the great seal was secured under the private seals of two or three of the principal among them. Some of them were, no doubt, in daily attendance on the chancellor, as is the case now with their representatives, the present masters in Chancery, relieving each other in turns; and at that time probably performing in succession the duty of affixing the formal authentication to the documents sealed in their presence.

A curious confirmation of the presumption that they were no more than officers usually attending on the chancellor occurs in two instances of charters in 2 John, authenticated in this form by the chancellor, to which the *only* witnesses

are Simon, Archdeacon of Wells, John de Grey, Archdeacon of Gloucester, and John de Brancestre, Archdeacon of Worcester[1]; all three of whom are represented as keepers at this very time, and were then attesting charters in the same manner.

There is no single fact that tends to contravene the probability that these so-called keepers or vice-chancellors were either officers of the treasury of the Exchequer, or clerks of the Chancery; and in pursuing the enquiry into the names of the chancellors and their deputies, this presumption will appear more probable. Indeed, the dates of the attestation of the officers in question are in such regular succession as almost to enable us to distinguish the order of their attendance.

All writers agree in making HUBERT WALTER, Archbishop of Canterbury, the first chancellor of the reign, and that he was appointed at or soon after the coronation, which took place on May 27, 1199. The first document to which his name appears in that character is dated June 6, 1199.[2] The period of his retirement is variously stated. Philipot (following Thynne) terminates his chancellorship even in the first year, and names "Simon, or rather Hugh, Archdeacon of Wells," as the next chancellor; and again names Hugh de Wells in the sixth year of the reign; conceiving these two "were all one person," and founding his introduction of their names on their being *witnesses to deeds*, meaning charters, granted by the king in those years.

In the first place, these authors are mistaken in supposing that Simon and Hugh, Archdeacons of Wells, were "all one person." The first was Simon Fitz-Robert, otherwise de Wells, Archdeacon of Wells, and afterwards Bishop of Chichester. The second was Hugh de Wells, who succeeded

[1] Rot. Chart. 2 John, 64.; see also Dugdale's Monast. (1846), iv. 93., vi. 901., for two similar instances.

[2] Rymer's Fœd. new ed. i. 75.

him in the archdeaconry, and afterwards become Bishop of Lincoln. The charters referred to are authenticated in the form already noticed: the first by Simon, Archdeacon of Wells, and John de Grey, whom these authors entirely omit; and the second by Hugh de Wells, without any addition to his name, he not then having any clerical dignity.[1]

Dugdale also introduces Hugh de Wells as chancellor in the sixth year of John, on the same authority; not adverting to numerous other charters attested in the same manner, which, if he were right in this instance, would equally make Hugh de Wells chancellor in the second and fifth years, and probably in the third and fourth (the charter rolls of which are wanting), as well as in several subsequent years.

It is certain, however, that Hubert, Archbishop of Canterbury, continued chancellor from his first appointment till the time of his death, July 13, 1205, 7 John. He is so styled in various documents during the whole period. The last charter he signed is dated June 23, 1206; and the next entry on the roll is a conclusive proof of the fact:—"Hic devenit cancellaria in manum domini regis post mortem H. Arch. Cant."

During the earlier part of his tenure of the office, his name frequently appears to the charters after the words "Data per manum;" but in the latter years his authentication occurs but seldom and at long intervals. To the officers who so signed them when he did not, Mr. Hardy and Lord Campbell give the title of keepers of the seal, or vice-chancellors. They state them to be SIMON FITZ-ROBERT, Archdeacon of Wells, and JOHN DE GREY, Archdeacon of Cleveland, jointly; JOHN DE BRANCESTRE, Archdeacon of Worcester; Hugh Wallys, Bishop of Lincoln, (meaning HUGH DE WELLS, so called from the place of his birth); and JOSCELINE DE WELLS, whom Lord Campbell, by mistake, calls a layman; he, in fact, afterwards

[1] Rot. Chart. 1 John, 40., and 6 John, 139.

becoming Bishop of Bath and Wells: — a goodly assemblage of keepers during one chancellorship of only six years' duration!

There is no doubt, however, that these five persons, whatever were the character of their office, performed the duty of authenticating the charters during Hubert's chancellorship; and the following summary of their signatures will show that there were no less than seven different modes in which these five deputies acted. From September, 1199, 1 John, to June, 1200, 2 John, the names of Simon, Archdeacon of Wells, and John de Grey, appear; in general jointly, but on some occasions within these months each of them signs alone. On the elevation of John de Grey to the bishoprick of Norwich, in 2 John, Simon de Wells continued to sign alone till June, 1204, 6 John, when he was appointed Bishop of Chichester. *During the same period* John de Brancestre and Hugh de Wells, for a short time together, and each of them separately, and also Josceline de Wells, authenticated the charters in the same manner. There is one instance, also, in which John de Brancestre signed alone on the same day on which he had affixed his signature in conjunction with Hugh de Wells.

Thus, if these attestations are to be deemed proofs of their being vice-chancellors or keepers, there would be at least three, if not four, enjoying that character at the same time.

The alternation of their attendance will be more strikingly apparent by taking two specific years of Hubert's chancellorship, the fifth and sixth.

In 5 John, the chancellor only signed in March;

Simon Fitz-Robert, or de Wells, authenticated the charters in the manner described in every month *except* July and August;

John de Brancestre in *July*, and also in part of May and June; and

Hugh de Wells in *August*, and also in parts of May, July, October, November, and December.

Again, in 6 John, the chancellor did not sign at all;

Simon Fitz-Robert signed in June only, being then consecrated bishop;

Hugh de Wells, in every month except February and March; and

Josceline de Wells in February and March, and also in April and May.

The question, then, may confidently be asked, whether this looks as if these persons held the office of keeper with any control of the seal, or as if they were official subordinate instruments of the chancellor?

Let us now revert to the death of Archbishop Hubert, when the "Chancery" came into the king's hands. Lord Campbell states that "then the great seal remained some time in the custody of John de Brancestre;" implying that he held it till the appointment of the new chancellor, Walter de Grey; and Mr. Hardy's arrangement would lead to the same conclusion. But the charter roll does not at all support this view. It is true that John de Brancestre's name is attached to the charter next following the entry as to the death of the archbishop, dated July 24, 1205: but it is *to that charter alone;* and he not only never afterwards signs another in that character, but the next two charters, dated on the 26th July, are authenticated by another officer. There is nothing to show that he held it beyond the day on which he signed that single charter; and if that attestation constitutes him a keeper, the title would be more justly applicable to Hugh de Wells and Josceline de Wells, under whose hands all the other charters during the intervening months are given. The learned authors, however, have passed over the two latter at this period, although they mentioned them as keepers when performing the same duty under Hubert.

The fact is, that the great seal remained in the king's hands during the whole of the period in question; and was no doubt given out to be used under his orders, as occasion required, by the customary officer of the court. A positive proof of this is recorded on the patent roll, where there is the entry of a quittance to Adam de Essex, a chaplain to the king, and a clerk in one of the Chancery offices [1], on his accounting for 87*l.* 3*s.* 8*d.*, the proceeds of the Chancery *while it was in the king's hands after the archbishop's death*, viz., from Thursday next after the feast of St. Mildred (July 13), to Saturday next after the feast of St. Michael (Sept. 29), 7 John [2]; a period occupying the whole of the interval up to the appointment of Walter de Grey.

There are also two mandates addressed to this Adam de Essex, dated respectively August 28, and September 12, directing him to pay certain monies "de exitibus cancellariæ;" showing that these issues were then in the king's hands. The first of these mandates, likewise, pretty plainly proves that neither Hugh de Wells nor John de Brancestre were keepers of the seal, but simply clerks in the Chancery then performing certain duties connected with it. The order is to pay "Archid. Well. et Wigorn, et cerariis de capella nostra [the clerks of the wax] duas marcas et 5 sol. pro jure suo de Carta Burgensium nostrorum de Rupella, et preterea eisdem 25 s. pro jure suo de quinque partibus literarum patencium quas idem Burgenses habuerunt." By this it is apparent that the two archdeacons were subordinate officers, a little

[1] I conceive that Adam de Essex was, perhaps, the clericus, or magister scriptorii, or more probably the scriptor rotuli cancellariæ, and kept the duplicate of the great roll, called the chancellor's roll, of which a specimen, that of 3 John, has been published by the commissioners of public records. Under an entry in the patent roll of 6 John, 52., the following memorandum appears: —

"Non est in Rotulo A. de Essex quia oblit. est."

[2] Rot. Pat. 8 John, 70.

perhaps above the clerks of the wax, with whom they were jointly entitled to a certain portion of the fees on charters and letters patent.[1]

There is no dispute as to the appointment of the next chancellor, WALTER DE GREY, who purchased the office for life on October 2, 1205, 7 John, for the sum of five thousand marks: but there is considerable confusion in the accounts of the time when he resigned the office. Neither Thynne, nor his copyist, Philipot, is sufficiently lucid on the point to render discussion available. Dugdale introduces Richard de Marisco as chancellor in 14 John, on the authority of Matthew of Westminster, and makes him resign the great seal in the next year; quoting the close and patent rolls, on both of which there is this entry, — "Nono die Octobris anno regni Domini Regis quinto decimo liberavit Magister Ricardus de Marisco, Archidiaconus Richmondiæ et Northumbriæ Sigillum Domini Regi apud Osspring." Hardy, referring to these entries, inserts him only as keeper; and afterwards properly introduces him as chancellor in 16 John. In Lord Campbell's account there is some inadvertence. His lordship states him to be the successor of Walter de Grey, with the marginal date of 1212, which was 14 John, but with a reference in his note to Rot. Chart. 16 John, m. 7.; adding that he twice held the office, meaning once in this, and once in the following reign; and that his first chancellorship ceased when Ralph de Neville was appointed: with a note introducing the above-cited entries on the patent and close rolls of 15 John, and another entry on them in the same year, subsequently noticed, relative to Ralph de Neville. His lordship does not again mention Richard de Marisco during John's reign: he adds, however, that there is "no farther entry in the records on the subject [of the great seal]

[1] Rot. Claus. 7 John, i. 48, 49.

during the rest of this reign; but there is great reason to believe that it remained in the hands of Ralph de Neville." Thus, according to his lordship's account, it would appear that Richard de Marisco resigned the office in 15 John; — being in contradiction to his own reference, which proves that he held it in 16 John. Nevertheless, that reference is a perfectly correct one, and at once overturns his lordship's assertion as to the silence of the records after the supposed appointment of Ralph de Neville in 15 John: and there are besides nearly one hundred entries afterwards on the charter roll, as well as others in the Monasticon, showing who continued to hold the seal till the last days of the king, and that that person was not Ralph de Neville.

To return, however, to Dugdale's introduction of Richard de Marisco as chancellor in 14 John. He certainly did not attain to that dignity till two years afterwards. That he did attain to it at all will sufficiently account for the passage in Matthew of Westminster; — the historians not being very precise about dates. The entry on the rolls, that he delivered the seal to the king on October 9, 1213, 15 John, has been too readily received as a proof that he was then chancellor, and that Walter de Grey had previously resigned: as this clearly was not the case. Walter de Grey was still chancellor; but, being then about to proceed to Flanders on a temporary mission, he sent the seal to the king by Richard de Marisco, who appears, by many entries on the patent roll[1], to have been a clerk of the chamber of the Exchequer, which was the place where the seal was usually deposited; and he no doubt was the officer responsible for its safe custody, and was naturally employed to deliver it to the king. A royal mandate, dated the 10th of October, the very day after, is directed to the Sheriff of Kent, commanding him

[1] Rot. Pat. 74. 81, 82, 83. 86. 91.

to provide a vessel for the voyage.[1] Not only in that document, but in many subsequent records which mention him, to as late a date as July 7, 1214, 16 John, Walter de Grey is invariably described with the title of chancellor.[2]

Having thus disposed of Richard de Marisco for the present, it is necessary next to notice the other claimant who is put forward: viz., Ralph de Neville, afterwards Dean of Lichfield and Bishop of Chichester, to whom it appears that the seal was delivered on December 22, 1213, 15 John. But this claim is equally untenable. Mr. Hardy calls the king keeper of the seal from October 9, when he received it from Richard de Marisco, at Ospringe, till this date; but his reference, which is merely the entry of that delivery, contains no proof whatever of the fact; and it will presently appear that there is no foundation for the assertion.

No doubt, however, can exist that, during Walter de Grey's absence abroad, the office of chancellor was conferred on another individual: but this was not Ralph de Neville. The authority for introducing his name is thus quoted by Dugdale from Rot. Pat. 15 John, p. 1, m. 6. "Vicesimo secundo die Decembris liberatum fuit sigillum apud Windlesoram Radulpho de Neville, sub Domino Wintoniensi Episcopo deferendum." Mr. Hardy at this date inserts Ralph de Neville in his column of keepers; *but with no chancellor at the time;* and in his note referring to the above passage he adds to the Bishop of Winchester's name the words "who was appointed custos of the realm during the king's absence abroad;" evidently intending to convey that Ralph de Neville held the seal as keeper under the bishop, as custos or chief justiciary. Lord Campbell adopts the same interpretation, but avoids saying whether he was chancellor or keeper. These learned authors have apparently forgotten

[1] Rot. Claus. 15 John, i. 156.

[2] Ibid. 161, 162. 168.; Rot. Pat. 105. 108, 109. 111.

that the bishop of Winchester was not appointed to the important station of chief justiciary till the following February[1]; and that, as the seal was never placed under the control of that functionary, unless he was acting as regent in the king's absence, the reason they assign is not applicable to its delivery to Ralph de Neville on December 22, 1213. It is rather extraordinary, also, that each of them should have passed over the natural inference to be drawn from the expression used; which would appear to be that the person *under whom* the seal was to be held would be himself the chancellor. Had they not done so, their industry would no doubt have enabled them to discover that such was actually the fact. The Rotulus de Finibus of 15 John, pp. 507. 509., contains two records, dated November 21 and 24, 1213, in which PETER DE RUPIBUS, Bishop of Winchester, is expressly distinguished by the title of chancellor: and, in addition to this positive evidence, all the charters between October and January, no less than eight in number, are given under his hand; the first of them being dated October 31, 1213, and the last on January 3, 1214. To these attestations, he does not add the title of chancellor to his name; being the sole exception to the practice in this reign, adverted to in a previous page. The omission is remarkable as occurring only in his case, and may perhaps have arisen from his dislike to parade a title which he was only holding for a short time, while Walter de Grey was abroad. But it is a more extraordinary circumstance, that, though others have been introduced solely on the ground of this mode of authentication, the name of Peter de Rupibus should have been hitherto omitted in every list, either as a chancellor or a keeper. No doubt, however, can be felt, with this unquestionable evidence, that he was chancellor during Walter de Grey's absence.

[1] Rot. Pat. 15 John, m. 4.

Walter de Grey, on his return, was reinstated in the office. He is denominated chancellor in a record dated January 12, 1214[1], and the title is appended to his name in various documents up to July 7.[2] The entry on that day is a mandate to the Bishop of Winchester to admit him to full possession of the bishoprick of Worcester, to which he had been elected. It was certainly, therefore, not till then, and probably not till after his consecration, which did not take place till October 5, that he resigned the chancellorship. The latter date seems more probable, as his successor was not appointed till the 28th or 29th of October.

Ralph de Neville, however, was clearly not chancellor till the following reign; and it is somewhat remarkable that, though we have seen that the seal was delivered to him to be held under the Bishop of Winchester, he never authenticated any charter while that prelate was chancellor: although he afterwards did so under Walter de Grey, and for a short time under Richard de Marisco.

Before Walter de Grey's first resignation, the charters were signed by Hugh de Wells, till the end of 10 John; and by Richard de Marisco in 14 and 15 John. The charter rolls of 11, 12, and 13 John are wanting; but Hugh de Wells probably continued to act till he was appointed Bishop of Lincoln, in December, 1209, 11 John; after which the duty no doubt devolved upon Richard de Marisco; as the charter roll of 14 John contains two charters of 12 and 13 John, to which his name is so attached.

Walter de Grey's successor was RICHARD DE MARISCO; and the date of his appointment may be collected from the charter rolls. On October 28, 1214, 16 John, a charter is given under his hand simply as "Magister Ricardus de Marisco," as in all those he had previously attested: but to

[1] Rot. Claus. 15 John, i. 160.

[2] Ibid. 16 John, 168.

his signature to the next charter, dated on the next day, is added, for the first time, the designation of "Cancellarius Domini Regis." In every subsequent charter, also, during the remainder of this reign, his name has the same description. It may be presumed, therefore, that he was appointed either on the 28th or the 29th of October, 1214. He remained in office till the end of the reign; the last record of which, so authenticated by him, is dated October 6, 1216[1], only a few days before the king's death. After that event he was continued chancellor for several years under Henry III.

The succession of chancellors, which has been thus suggested, fills the whole period of the reign, except the short vacancies occasioned by the death of Hubert, Archbishop of Canterbury, and by the second resignation of Walter de Grey. Of those names which have been hitherto comprehended in the list, it excludes Hugh de Wells and Ralph de Neville; it removes Richard de Marisco from the position usually assigned to him, and places him at the end of the reign; and it introduces a new chancellor in Peter de Rupibus, Bishop of Winchester, who has heretofore been entirely omitted.

The order in which they succeeded each other will be more simply shown in the tabular view I shall presently give, to which I have added a separate column, exhibiting the names and succession of those officers of the treasury of the Exchequer, or clerks of the Chancery, who authenticated the charters, when the chancellors did not; together with a statement of the time during which each of them acted. A comparison of these dates will make it manifest that these persons were merely official instruments, exercising a formal duty at stated intervals during the same period of time, and that they were not, as they have been called, either keepers of the great seal or vice-chancellors.

[1] Rot. Pat. 18 John, i. 198.

One of the first acts of King John after the coronation was, "at the instance" of his new chancellor Hubert, to issue an ordinance [1] regulating the fees of the Chancery on charters, confirmations, and protections, which had been oppressively increased "more from inclination than reason" in the time of Richard. By this document a fee is established *for the use of the chancellor* of one mark of gold or ten marks of silver on a new charter, and of one mark of silver on a simple confirmation; and *for the use of the vice-chancellor*, of one mark of silver on the former, and of one bezant on the latter.

This proves that previously to the date of this ordinance, June 7, 1199, viz. in Richard's reign, there had been, as we have seen, a vice-chancellor; but it does not show that the office was continued after its date; and in no document whatever of this reign does the title appear. The very multiplicity of officers who acted contemporaneously as deputies to the chancellor tends to show that it was discontinued; or, more probably, that its duties were divided among a certain number of the senior clerks of the Chancery, who, no doubt, participated in the fee appropriated as above to the use of the vice-chancellor.

The sale of the Chancery to Walter de Grey in 1205 is proved by the following entry on the Fine Roll: —

"Walterus de Gray dat Domino Regi quinque millia marcas pro habenda Cancellaria Domini Regis tota vita sua et pro habenda inde Carta Domini Regis. Terminis, ad festum Sancti Andreæ anno regni Regis septimo quingentas libras, et ad Penticosten sequens quingentas libras, et sic quolibet anno mille libras ad prædictos terminos donec totum persolvatur, et sciendum quod Dominus J. Norwicensis Episcopus constituit se in capitalem debitorem." [2]

The Bishop of Norwich who thus becomes security for the

[1] Rymer's Fœdera, i. 75.

[2] Rot. de Finibus, 7 John, 368.

payment of the purchase-money was John de Grey, Walter's uncle, a great favourite of the king; and it was probably owing to his influence that the innovation of granting the office for life was introduced into the charter, which was in the following form: —

"Johannis Dei Gratia Rex Angliæ, &c. Sciatis nos dedisse concessisse et præsenti Carta Nostra confirmasse dilecto et fideli nostro Waltero de Grai Cancellariam nostram cum omnibus pertinentiis suis Habendam et Tenendam bene et in pace quamdiu vixerit. Quare Volumus et firmiter Præcipimus quod prædictus Walterus habeat et teneat prædictam Cancellariam cum omnibus pertinentiis suis bene et in pace quamdiu vixerit, sicut prædictum est. Hiis Testibus, J. Norwicensi Episcopo, Galfrido filio Petri, Comite Essex. Data per manum nostram apud Notingeham secundo die Octobris anno regni nostri septimo."[1]

The fees of the Chancery, even under the new regulations just mentioned, must still have been very considerable to have warranted the demand of so large a fine.

The Close Rolls give evidence that the king, by an ancient custom, presented his chancellor with two gold marks at Christmas, one at Easter, and one at Whitsuntide; and an ounce at each of twelve minor festivals, all of which King John ordered should be paid in silver at the rate of *nine* marks of silver for one of gold[2], instead of ten marks, as in his former ordinance.

It appears also by the Rotulus Misæ of 14 John, that the king made Walter de Grey, the chancellor, a present of two hundred marks.

The chancellors still continued to act as justiciers in the Curia Regis; and their names frequently appear among those before whom fines were acknowledged.

[1] Rymer's Fœdera, i. 93.

[2] Rot. Claus. John, i. 13, 14. 35. 85.

The office of chief justiciary had, for the last nine months of Richard's reign, been filled by GEOFFREY FITZ-PETER, who was not removed on the accession of King John, but continued to perform its high functions till his death on October 14, 1213.

His place was not filled up till February 1, 1214, when PETER DE RUPIBUS, Bishop of Winchester, was appointed. How long he remained in office is uncertain; but

HUBERT DE BURGH was nominated a few days after Magna Charta was granted, on June 15, 1215, and was chief justiciary at the death of King John, on October 19, 1216.

TABLE OF CHANCELLORS AND THEIR DEPUTIES, AND OF CHIEF JUSTICIARIES.

A.R.	A.D.	Chancellors.	Chancellors' Deputies authenticating Charters.	Chief Justiciaries.
I.	1199, May	Hubert Walter, Archbishop of Canterbury.	Simon Fitz-Robert, Archdeacon of Wells, and John de Grey, Archdeacon of Cleveland, jointly and separately till June, 1200; after which	Geoffrey Fitz-Peter, Earl of Essex.
II.	1200, June	—	Simon Fitz-Robert, alone till June, 1204; and during the same time	—
	August	—	John de Brancestre, Archdeacon of Worcester, and Hugh de Wells, Archdeacon of Wells, jointly in August and September.	—
V.	1203, May	—	John de Brancestre, alone, for three months.	—
	June	—	Hugh de Wells, alone till April, 1209, and probably later.	—
VI.	1205, Feb.	—	Josceline de Wells, until September, 1205.	—
VII.	July 13	died.		
	24		John de Brancestre, one charter only.	—

TABLE OF CHANCELLORS AND THEIR DEPUTIES, AND OF CHIEF JUSTICIARIES —(*continued*).

A.R.	A.D.	Chancellors.	Chancellors' Deputies authenticating Charters.	Chief Justiciaries.
VII.	Oct. 2	Walter de Grey, afterwards Bishop of Worcester, and Archbishop of York.		Geoffrey Fitz-Peter, Earl of Essex.
XII.	1210, March	—	Richard de Marisco, Archdeacon of Richmond, afterwards Chancellor and Bishop of Durham till October, 1213, and once afterwards on October 28, 1214.	—
XV.	1213, Oct.	Went to Flanders Peter de Rupibus, Bishop of Winchester.		
	14	—		died.
	Dec. 22	—	Ralph de Neville, afterwards Dean of Lichfield and Bishop of Chichester, till May, 1215.	
	1214, Jan. 12	Walter de Grey	—	
	Feb. 1	—	—	Peter de Rupibus, Bishop of Winchester.
XVI.	Oct. 29	Richard Marisco	—	—
XVII.	1215, June	—		Hubert de Burgh.
		The King died October 19, 1216.		

Many of the justiciers who were employed by Richard I. continued to act in this reign, and were evidently regular members of the court. Some, however, whose names appear upon the fines levied at Westminster, and before the king in his progresses through the kingdom, I am inclined to think were only officers of the court, and others nobles or knights in attendance on the king, who happened to be present. As fines were also levied on the iters, to which extra judges were frequently attached, it is somewhat difficult to distinguish

between the two classes; and though I have exercised the greatest care in the division, it is possible that some of those whom I have placed in the list of justices itinerant may have been regular justiciers.

JUSTICIARIES.

I. 1199–1200. The following had acted as justiciers under Richard I.; and, though the names of some of them do not appear on the fines till a subsequent year, there is evidence of their being still employed in a judicial capacity:—

Hugh Bardolf,
Richard Barre, Archdeacon of Ely,
Michael Belet,
Roger Bigot, Earl of Norfolk,
Hugh le Bobi,
Geoffrey de Bocland, Archdeacon of Norfolk, and Dean of St. Martin's,
William Briwer,
Walter de Crepping,
Osbert Fitz-Hervey,
Richard Flandrensis,
John de Gestling,
Richard de Heriet,
Thomas de Husseburn,
Godfrey de Insula,
Simon de Pateshull,
James de Poterna,
Stephen de Turnham,
William de Warenne,
Henry de Wichinton,
William de Wrotham, afterwards Archdeacon of Taunton.

The following are those who first acted in this year:—

Reginald de Cornhill,
William de Faleise,
Eustace de Fauconberg, afterwards Bishop of London,
Henry de Furnellis,
Henry of London, Archdeacon of Stafford, afterwards Archbishop of Dublin.

II. 1200–1. Ralph de Stoke.[1]

III. 1201–2. Reginald de Argentine, John de Grey, Bishop of Norwich.

IV. 1202–3. Jordan de Turri.

[1] By a mistake arising from the damaged state of a fine, Mr. Hunter has introduced into his list of this year,

William de Albini, Earl of Arundel,
Alan Basset,
Ralph Hareng,
Simon de Insula,
Martin de Pateshull,
Stephen de Segrave;

but has kindly communicated his discovery that the fine was really levied in 2 Henry II.

V. 1203–4.	William de Cantilupe, Thomas de Samford,	Josceline de Wells, afterwards Bishop of Bath and Wells.
VI. 1204–5.	Richard de Mucegros, Hugh de Wells, Archdeacon of Wells, afterwards Bishop of Lincoln.	
VIII. 1206–7.	Henry Fitz-Ailwyn, Mayor of London.	
IX. 1207–8.	Walter de Grey, Chancellor,	Henry de Ponte Audomare.
X. 1208–9.	Robert de Aumari, William de Ely, Treasurer, William de Furnellis, John Fitz-Hugh,	Ralph Hareng, Robert Malduit, Peter de Rupibus, Bishop of Winchester, afterwards chief justiciary.
XI. 1209–10.	John de Briwes,	Robert Huscarl.
XIII. 1211–12.	Saherus de Quincy, Earl of Winchester.	
XIV. 1212–13.	Richard de Marisco, Archdeacon of Richmond, afterwards chancellor.	
XV. 1213–14.	Josceline de Stivicle.	

The rolls of this reign afford no proof of any specific salary being received by the judges. They were exempted from the payment of scutage and other assessments on their property, "per libertatem sedendi ad Scaccarium;" a privilege which also extended to the other officers of the court. Grants of land were frequently made to them, but not avowedly in the way of reward for their judicial services: and it appears by the close rolls of 14 John, that on June 2, 1212, of three ships which had been taken, the king kept the best himself, and of the other two gave one apiece to Richard de Marisco and William Briwer, who were then justiciers.

An instance occurs of a fine being imposed in 9 John on Simon de Pateshull and James de Poterna of one hundred marks each, for granting a term in a cause before them without the king's licence; but it was afterwards remitted.[1]

In most of the years of this reign, regular itinera were taken by the ordinary judges, with the addition of some few

[1] Rot. Claus. i. 113, 114.

others. The division of these itinera through the kingdom approaches nearer than in former reigns to the modern circuits. In some years, however, they were omitted; principally when the king himself made his progresses through all parts of the country. On these occasions he was accompanied by some of the justiciaries, and others were occasionally added, who happened to be present at any of the places where he held his court.

JUSTICES ITINERANT.

I. 1199–1200.	Alan, Abbot of Tewkesbury,	Robert de Braybroc,
		Ralph de Welleford.
II. 1200–1.	Stephen de Clay,	Ralph Morin.
III. 1201–2.	Robert Fitz-Roger,	Richard Malebysse.
IV. 1202–3.	Roger Arundel,	Henry de Northampton,
	William Fitz-Richard,	Alexander de Poynton.
V. 1203–4.	Hugh de Chaucomb.	
VI. 1204–5.	Robert Marmion.	
VIII. 1206–7.	Humphrey de Bassingborne, Archdeacon of Sarum,	Simon de Kyme,
		William de Percy.
		Richard de Seinges,
	Walter de Bovington,	Robert de Veteriponte.
	Roger de Huntingfield,	
IX. 1207–8.	Ralph de Arden.	
X. 1208–9.	William de Albini, of Belvoir Castle,	William de Huntingfield,
		Roger de Lacy, Constable of Chester,
	Robert de Berkeley,	
	Gerard de Camvill,	Robert de Percy,
	William de Cornhill, Archdeacon of Huntingdon, afterwards Bishop of Lichfield and Coventry,	Richard de Ponte,
		Adam de Port,
		Abbot of Ramsey,
		William, Archdeacon of Hereford.
	Henry Fitz-Hervey,	
XII. 1210–11.	Simon de Waldhull (? Wahull).	

The fine roll of 6 John records an imposition of half a mark on Roger de Muncland, "pro stultiloquio:" and judging from Sir Edward Coke's remarks in his preface to the Book of Entries, that the pleader and not the client was

mulcted, we may presume that this Roger de Muncland was a blundering lawyer.[1] The great roll of 7 John contains a similar amercement on John Blund.[2] In 7 Henry II., Henry the Dean was fined five marks for the same offence; and two instances occur on the rolls of Richard I., in which Nicholas Fitz-Luil is charged two marks and a half, and Ernald the Priest one mark, "pro stulto dicto."[3] It is not improbable, however, that some of these fines were imposed upon jurors for unsatisfactory verdicts.

[1] Preface to Rot. de Finibus, p. xviii.
[2] Madox's Exch. i. 563.
[3] Ibid.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF JOHN.

ALAN, Abbot of Tewkesbury.

Just. Itin. 1199.

Alan was made Abbot of Tewkesbury on June 16, 1187, having been previously Prior of Canterbury. In 1 John he fixed the tallage in Berkshire, and in the same year he is named as one of the justiciers before whom fines were levied.[1] He died in 1202, and is mentioned as a learned man.[2]

ALBINI, WILLIAM DE, of Belvoir Castle.

Just. Itin. 1208.

See under the Reigns of Richard I. and Henry III.

ARDEN, or ARDERNE, RALPH DE.

Just. Itin. 1207.

There is little doubt that this Ralph de Arden, or Arderne, was the grandson of the justice itinerant of the same name in the reign of Richard I., who married one of the daughters of Ranulph de Glanville. Sir Edward Coke, in the account of Glanville's family which he gives in the preface to his 8th Report, says that the first Ralph had a son Thomas, who had

[1] Pref. to Fines of Richard I. and John; Madox's Exch. i. 722.

[2] Browne Willis's Mitred Abbeys.

a son Ralph. The first Ralph died soon after the accession of King John, as I have already shown; and no mention appears of his son Thomas after the fourteenth year of that reign.[1] It seems probable, therefore, that it was Thomas's son Ralph who is mentioned by Dugdale as a justicier in 9 John, 1207, and by Mr. Hunter in the next year, when fines were levied before him at Derby.[2]

He had previously incurred the king's displeasure, and in 3 John fined 272*l.* 12*s.* 6*d.* for the royal favour[3], but in the following year he was employed in the king's service, being sent with Gerard de Rodes to Otho, King of the Romans, with an allowance of five marks for their passage.[4] Two years afterwards, also, he accompanied the abbot of Insula and Eustace de Fauconberg to Flanders, the Sheriff of Kent being commanded to provide a good and secure ship to convey them.[5]

He endowed the priory of Butley, in Sussex, which was founded by Ranulph de Glanville, with half the town of Bawdesey, part of the inheritance which he had acquired through that great justiciary: and by his wife, Agnes, he left a son named Thomas.[6]

ARGENTINE, REGINALD DE.

JUST. 1201.

See under the Reign of Richard I.

FULLER, in his Worthies of England, names Reginald de Argentine as sheriff of the united counties of Cambridge and

[1] See vol. i. p. 339.

[2] Dugdale's Orig. Jurid. 22.; Fines of Richard I. and John, Pref. and vol. ii.

[3] Rot. Cancel, 3 John, 147.

[4] Madox's Exch. ii. 340.

[5] Rot. Claus. 6 John, i. 16.

[6] Dugdale's Monast. (1846), vi. 381.; Rot. Curiæ Regis, 6 Richard I., i. 121.

Huntingdon in 6 & 7 Richard I. An entry, however, on the roll of 5 John discharges him from the payment of ten marks "de Dono," which he had promised for the sheriffalty of those counties, because he never had that office, but only accounted as sub-sheriff to the chancellor[1], William de Longchamp, Bishop of Ely. He was no doubt, therefore, an officer of the court at that time, and appears to have held Wilmundele Magna, in Hertfordshire, "per serjentiam pincerniæ."[2]

His name stands at the end of a list of five justices itinerant who held pleas in Essex and Hertfordshire in 5 Richard I., 1193[3]; of which counties he was sheriff in the 8th and 9th years of that reign: and his presence as a justicier in the court at Westminster in the following reign is evidenced by fines in 3 & 4 John, 1201–2, being levied there before him.[4]

At the close of the reign he joined the barons and lost his lands; but restitution was made in 1 Henry III., on returning to his allegiance. He was the grandfather of Giles de Argentinè, a justice itinerant under Henry III.[5]

The terminal syllable of his name is spelled in various different ways, arising from the abbreviated mode of writing the records.

ARUNDEL, ROGER.

JUST. ITIN. 1202.

See under the Reign of Richard I.

ROGER ARUNDEL was of the clerical profession, and is generally mentioned with the addition of "Magister." He was one of the fermers of the see of York during its vacancy at the end of the reign of Henry II., and he and his col-

[1] Madox's Exch. i. 206.
[2] Madox's Exch. ii. 20.
[3] Rot. Curiæ Regis, 10 Richard I., 162.
[4] Pref. to Fines of Richard I. and John.
[5] Dugdale's Baronage, i. 614.

leagues account for it up to 1 Richard I.[1] In that year he held pleas with Hugh Pusar, Bishop of Durham, and others, as a justice itinerant in Yorkshire, and in the ninth year of that reign performed the same duty in all the northern counties.[2] In the following reign he acted as a justicier, his name appearing on fines levied before him in 4 and 8 John.[3]

His death occurred a few years afterwards, and his property must have been of considerable amount, as in 15 John his nephew, Thomas de Holm, paid a fine of five hundred marks and five palfreys for having his land in Yorkshire and Leicestershire.[4]

AUMARI, ROBERT DE.

JUST. 1208.

See under the Reign of Henry III.

BARDOLF, HUGH.

JUST. 1199.

See under the Reigns of Henry II. and Richard I.

HUGH BARDOLF was a younger son of the Baron William Bardolf of Stoke Bardolf, who was Sheriff of Norfolk and Suffolk from 16 to 21 Henry II.

The inclinations of his youth may be collected from the fact that in 22 Henry II. he was amerced for trespassing in the king's forests. In a very few years, however, he appears in a station which proves that his talents were early discovered. In 30 Henry II., 1184, he is described as Dapifer Regis, which office he then held in conjunction with Hugh de Morewic, and afterwards with William

[1] Madox's Exch. i. 309. 311. 635.
[2] Pipe Roll, 1 Richard I., 9. 84.; Dugdale's Chron. Series.
[3] Pref. to Fines of Richard I. and John.
[4] Rot. de Finibus, 15 John, 491.

Rufus. It is sometimes considered the same as seneschall or steward, and, indeed, he is occasionally designated by the latter title; and probably his appointment had reference to the duchy of Normandy only, as in the Norman roll of that year he and Hugh de Morewic are allowed 100*l.* for money disbursed for the king's expenses while at Gisors. In the same year he received a gift of one hundred marks from the king.[1]

From this time till the end of the reign he acted as a justicier, being present in the Curia Regis when fines were levied there in 30 and 35 Henry II., and assisting as a justice itinerant in 33 Henry II. in assessing the tallage of Wiltshire, of which he was sheriff.[2] He also held the sheriffalty of Cornwall, and was fermer of the honor of Gloucester[3]; and was nominated one of the lieutenants of the kingdom during Henry's absence in Normandy.

Richard I., after his accession, although he forced him as well as others to contribute to the expenses of the crusade under the name of a fine for not joining in it, treated him with equal distinction. He was appointed of the council to assist the two chief justiciaries in the rule of the kingdom and the administration of the laws; and his pleas on the itinera in several counties are recorded on the great rolls of 1 & 2 Richard I. When also the complaints against William de Longchamp became too loud to be disregarded, he was one of the persons whom the king nominated in the bishop's place. Although some historians question the authenticity of the letter containing this order, the insertion of the names in the forged document (if forged it were) shows the high position of the parties, and the estimation in which they were held at the period. There is no doubt that he

[1] Madox's Exch. i. 51. 168.

[2] Ibid. i. 634.; Pref. to Fines of Richard I. and John.

[3] Madox's Baron. 63. 77.

joined Prince John and the barons in the removal of the unpopular bishop, and that the king (who never withdrew his confidence from the chancellor) punished him on his return by discharging him from the sheriffalty of York and Westmoreland. That he did not, however, remain long in disgrace is proved by his subsequent employments. His name frequently appears as a justicier in the Curia Regis on fines levied from the 5th to the 9th Richard I., and in the last four years of that reign he acted as a justice itinerant in various counties.[1] He was one of those sent to York to determine the controversy between the archbishop and the monks there, and was also entrusted with the sheriffalty of the counties of Northumberland, Dorset and Somerset, Stafford, Wilts and Leicester. In some of them he continued under King John, with the addition of Derby, Nottingham, Devon, and Cornwall. In the first year of King John's reign he was constituted custos of the castle of Tickhill; and had a grant of the manor of Brumegrave-cum-Norton, for which he procured the privilege of a market, together with a fair for it and also for Carleton and Grimeston.[2]

In all the three reigns, his scutage in the several counties of Warwick, Leicester, Kent, Oxford, Norfolk, and Suffolk, where his property lay, was excused "pro libertate sedendi ad Scaccarium;" and in the reign of John the records show that he continued to act on the circuits as a justice itinerant, and in the Curia Regis as a justicier before whom fines were levied till the fifth year.[3]

About that time he died; as appears from the Rotulus de Liberate of that year, which contains a precept that Reginald de Cornhill should have credit for a sum of money which he had delivered into the chamber of the chattels of Hugh

[1] Dugdale's Chronica Series; Fines of Richard I. and John; Madox's Exch. i. 35. 699. 704. 733.

[2] Rot. Chart. John, 55. 61. 91.

[3] Fines of Richard I. and John; Rot. Cancell. 3 John.

Bardolf[1]: and in the next year Amabilis de Limesey, who was his wife, fined in two thousand marks and five palfreys that she should not be compelled to marry again; and that she should be quit of all aids to the sheriff, &c., as long as she should be a widow after the death of John de Braiosa, her late husband.[2] This seems to show that soon after the death of Hugh Bardolf she had married a second husband, who had since died: and it appears that in the previous year William de Braiosa had given a fine to have her for the wife of one of his sons.[3]

Dugdale says that Hugh Bardolf left no issue of his marriage, and was succeeded by his brother Robert, who also died without children. Mr. Stapleton, however, states that Robert was his son, who died in 9 Henry III., 1225, and that Ysolda, who married first Henry de Gray, and afterwards Reginald de Meandre, was Hugh's daughter, and one of Robert's coheirs. Part of his property was the manor and hundred of Hoo, in Kent, which was given to him by King Richard in exchange for the honour of Baenton, in Devonshire, a grant he had received from Henry II.: and the above mentioned Ysolda was in possession of her purparty of this manor in 19 Henry III.[4]

BARRE, RICHARD, Archdeacon of Ely.

Just. 1199.

See under the Reign of Richard I.

Richard Barre was a diligent and zealous servant of Henry II. After the peace concluded between that monarch

[1] Rot. de Liberate, 5 John, 82.

[2] Rot. de Finibus, 6 John, 82.; Rot. Chart. 7 John, 150.

[3] Dugdale's Baronage, i. 415.

[4] Ibid. i. 683.; Hasted's Kent, iv. 4.; Ric. Divisiensis, 8. 41.; Roger de Wendover, iii. 15. 49.; Rot. Scacc. Norm., Mr. Stapleton's Observations, vol. ii. p. lxxxi.

and Louis of France on January 6, 1169, he was sent with the Archdeacon of Salisbury to Beneventum to negotiate with Pope Alexander in relation to Archbishop Becket; and while there he succeeded in obtaining from the pontiff a new letter to the Archbishop of York, commanding him to crown Prince Henry at any time the king required him. After the murder of the archbishop, he was again appointed one of the ambassadors to the papal city; and when their passage through the mountains was impeded by the severity of the weather, he was selected to proceed without his companions and urge the king's innocence of the murder. Though on his arrival the pope refused to admit him to his presence, he at last contrived to mollify the indignant feelings of the pontiff, and by his representations, backed by the proofs he produced, his royal master escaped excommunication.

In recompense for these and other faithful services, the king appointed him chancellor to his son Henry when he crowned him; but on that prince rebelling against his father in 1173, Richard Barre proved his loyalty by restoring the seal to the king. In 1184 he was raised to the dignity of Archdeacon of Ely, on the elevation of Richard Fitz-Nigel to the deanery of Lincoln.[1]

In 7 Richard I., 1195–6, he was one of the justices itinerant holding pleas in Devonshire; and from that year till 1 John inclusive, his name appears among the justices taking fines in the Curia Regis at Westminster.[2] The last entry that I find of him is that he was one of the associates[3] of Geoffrey Fitz-Peter, the chief justiciary, and Osbert Fitz-Hervey, in fixing amerciaments on the men of Leicester in 3 John.[4]

[1] Le Neve, 73.

[2] Madox's Exch. i. 502.; Dugd. Pref. to Fines of Richard I. and John.

[3] Rot. Cancell. 3 John, Pref. p. x.

[4] Roger de Wendover, ii. 336.; Lord Lyttelton's Henry II., ii. 521., iii. 5. 108.

BASSINGBORNE, HUMPHREY DE, Archdeacon of Salisbury.

Just. Itin. 1206.

Several fines were acknowledged at St. Edmund's, Cambridge, and Bedford, in 8 John, 1206, before Humphrey, Archdeacon of Sarum, and Richard de Seing; but in them the word "Justiciis," which always occurs in other fines of this period, is invariably omitted, the addition being only "et aliis fidelibus."[1] This is somewhat remarkable, and, if not accidental, may have arisen from their having been only specially appointed for this year to that particular duty, as their names do not again occur in this reign.

The Archdeacon of Sarum at that time was Humphrey de Bassingborne.[2] He suffered with the rest of the clergy on account of the interdict, his rents being seized into the king's hands; but they were restored to him in April, 1208.[3] At the end of the reign he again got into disgrace, and was obliged to pay a fine of one hundred marks and a palfrey for his restoration to the king's favour, and he then had a royal letter of protection.[4]

BATH AND WELLS, Bishop of. *See* Josceline de Wells.

BELET, MICHAEL.

Just. 1199.

See under the Reigns of Henry II. and Richard I.

Michael Belet was the second son of Hervey Belet; and on the death of his elder brother John (who was living in

[1] Fines of Richard I. and John.
[2] Le Neve, 276.
[3] Rot. Claus. 9 John, i. 113.
[4] Rot. de Finibus, 17 John, 582.; Rot. Claus. i. 251.

8 Richard I., 1196–7) without issue, succeeded to the lordship of Wrokeston in Oxfordshire, and to the manor of Shene or Richmond, which King Henry I. had granted to the family by the serjeanty of chief butler or cupbearer to the king.

The sheriffalty of various counties was entrusted to him; that of Worcestershire from 22 to 30 Henry II., with the exception of the 29th year, when Ranulph de Glanville held it; that of Wiltshire, in 27 and 28 Henry II.; that of Gloucestershire, in 30 Henry II.; and that of Warwickshire and Leicestershire, in conjunction with Ranulph de Glanville, from 31 Henry II. to the end of the reign, and alone in 1 Richard I.[1]

In 23 Henry II., 1177, and the two following years, he acted as a justice itinerant in various parts of England; and when the great council of Windsor, in the last of those years, divided the kingdom into four parts, and sent judges into each to administer justice, he was one of the five selected for the circuit comprehending ten counties of the home district. There are records of his acting in this character, not only in these, but other counties, through many succeeding years, as late as 3 John, 1201–2. Many instances occur, also, of his partaking in the judicial duties of the Curia Regis at Westminster, fines being levied before him from 28 Henry II., 1182, through the reign of Richard, till the third of John.[2]

About this period he died, leaving by his wife, Emma, daughter and coheir of John de Keynes, several sons, two of whom, Hervey and Michael, succeeded in turn to his honors. Hervey died without issue, and Michael, called always

[1] Fuller's Worthies.

[2] Dugdale's Chron. Series; Madox's Exch. i. 89. 113. 129. 132. 135. 137.; Pipe Roll, 1 Richard I.; Pref. to Fines of Richard I. and John; Rot. Cancell. 3 John, 238.

Magister Michael Belet, will be noticed as a baron of the Exchequer in the reign of Henry III.[1]

BERKELEY, ROBERT DE.

JUST. ITIN. 1208.

ROBERT DE BERKELEY was the eldest of the six sons of Maurice de Berkeley, noticed in the reign of Richard I.[2] On the death of his father in 1190, he succeeded to the large inheritance, paying a fine of 1000*l.* for livery thereof. In 10 John, 1208, he was one of the justiciers before whom fines were acknowledged at Derby[3]: but there is no further record of his acting in a judicial character.

He was one of the principal movers in the contest between King John and his barons, and was accordingly included in the sentence of excommunication pronounced against them by Pope Innocent III.[4] His castle of Berkeley, and the whole of his lands, were also seized; but by his submission at the commencement of the next reign, they were all restored, except Berkeley and its castle, which were retained till his death. This event occurred on May 13, 1220, 4 Henry III., when he was buried in a monk's cowl in the abbey of St. Augustine near Bristol, to which he had been a munificent benefactor, as well as to many other religious houses. He also founded the hospital of St. Catherine at Bedminster, near Bristol, and two chantries.

He married twice. His first wife was Julian, daughter of William de Pontearch, and niece to William Mareschall, Earl of Pembroke. The name of his second was Lucia: whose daughter she was is not stated, but after his death she married Hugh de Gurney. Leaving no issue by either, he

[1] Dugdale's Baron. i. 614.; Manning and Bray's Surrey, i. 407.
[2] See vol. i. p. 341.
[3] Fines of Richard I. and John.
[4] Roger de Wendover, iii. 297. 356.

was succeeded by his brother Thomas, to whom Berkeley and its castle were restored.[1]

BEVERLEY, PROVOST OF. *See* SIMON FITZ-ROBERT.

BIGOT, ROGER, EARL OF NORFOLK.

JUST. 1199.

See under the Reign of Richard I.

ROGER BIGOT was the grandson of a Norman knight of the same name, whose lordships are recorded in Domesday Book as six in Essex, and one hundred and seventeen in Suffolk, and who became steward of the household to Henry I. In this office he was succeeded, first, by his eldest son William, who perished in the same ship with the young prince; and then, by his second son, Hugh, who was created Earl of Norfolk in 6 Stephen, and received a confirmation of his title from Henry II. In the twenty-third year of that king's reign, 1177, he died in the Holy Land, and the subject of this notice was his eldest son.

The favour of King Richard was shown to him from the commencement of his reign, by a confirmation of all his honors, and the restoration of his lordships, which Henry II. had seized on the death of his father. He was one of Richard's ambassadors to Philip, King of France, to make arrangements for the crusade; and during his sovereign's absence on that enterprise, supported his authority against the attempts of Prince John.

His name appears on the records as a justicier after the return of King Richard from the Holy Land; fines being levied before him in the fifth year of that reign, and from

[1] Dugdale's Baronage, i. 352.; Brydges's Collins' Peerage, iii. 595.; Excerpt. e Rot. Fin. 4 Henry III., i. 52.

the seventh year to the end of it. He is also mentioned as a justice itinerant in Norfolk. He continued to act as a judge under King John, his presence when fines were acknowledged in the third year of the reign being recorded.[1]

That King John treated him with distinction during the greater part of his reign is shown by his having been sent to summon William, King of Scotland, to do homage at Lincoln; and by various grants in his favour which appear on the Close Rolls. But towards the end of the reign he was imprisoned on some account or other, as his wife Aelina fined in fifty marks for his release, the payment of part of which was excused, in 15 John.[2] In that year he seems to have been restored to his sovereign's good graces, as he attended him into Poictou; and for a fine of two thousand marks obtained a respite for his whole life from the service of one hundred and twenty knights, and from all arrears of scutages.[3]

In 17 John he joined the barons, and was one of the twenty-five who were appointed to enforce the observance of Magna Charta. His name was accordingly included in the sentence of excommunication fulminated by Pope Innocent III.; and his lands were cruelly ravaged among the last attempts of the tyrannic king. In the first year of the reign of Henry III., he returned to his allegiance; and being again taken into favour, the disputed question between the king and him as to the stewardship of the household was finally settled on May 1, 1221.[4]

Before the following August he died[5]; and was succeeded by his son Hugh, whose son Roger, the fourth earl, will be mentioned under the reign of Henry III.[6]

[1] Pref. to Fines of Richard I. and John; Madox's Exch. ii. 21.
[2] Rot. de Finibus, John, 465.
[3] Madox's Exch. i. 190. 667.
[4] Rot. Claus. 5 Henry III., i. 322. 455.
[5] Ibid. 469.
[6] Roger de Wendover, iii. 297. 355. 381.; Dugdale's Baronage, i, 133.

BOBI, HUGH DE.

JUST. 1199.

See under the Reign of Richard I.

HUGH DE BOBI was Sheriff of Yorkshire under Hugh Bardolf from 4 to 6 Richard I., and was one of the five justices itinerant who set the tallage in Lincolnshire in the eighth year of that reign, 1196–7.[1] For the first four years of John's reign he acted as a justicier as well at Westminster as on the circuit.[2]

In 2 John he was associated with Hugh de Wells in the custody of the bishoprick of Lincoln during its vacancy[3]; and in the next year he accounted for the rents of Baldwin Wace's lands, then in the king's hands.[4] The Rotulus de Oblatis of 2 John contains an entry of his gift of one hundred pounds and a palfrey to the king: and among the fines of 6 John is one of two hundred marks paid by him rather than trust his son as a hostage "pro domino suo."[5]

BOCLAND, GEOFFREY DE, ARCHDEACON OF NORFOLK, and DEAN OF ST. MARTIN'S, LONDON.

JUST. 1199.

See under the Reigns of Richard I. and Henry III.

BOVINGTON, WALTER DE.

JUST. ITIN. 1206.

MR. HUNTER mentions Walter de Bovington as a justicier in 8 John, 1206, before whom fines were levied[6]; but as the

[1] Madox's Exch. i. 704.
[2] Pref. to Fines of Richard I. and John.
[3] Rot. Chart. 2 John, 99.
[4] Rot. Cancell. 3 John, 193.
[5] Rot. de Oblatis, John, 101. 212. 271.
[6] Pref. to Fines of Richard I. and John.

records in which his name occurs are not yet published, I cannot state whether he acted at Westminster or on the circuit. He held property in Yorkshire; and when William de Stuteville purchased the sheriffalty of that county in 2 John, the king reserved the right of naming two "intendentes" under him; and, by the recommendation of Stuteville, appointed Walter de Bovington to be one of them.[1]

BRANCESTRE, JOHN DE, Archdeacon of Worcester.

? Keeper or Vice-Chancellor, 1200.

Mr. Hardy introduces John de Brancestre among the keepers of the great seal in 1203 and 1205 on the authority of charters of 5 and 7 John.[2] Those charters are subscribed with the words "Data per manum J. de Brancestre, Archid. Wigorn." If this be sufficient to ground the title, he should have been so designated at an earlier date, as there are some charters given under his hand in September, 1200, 2 John, as well as others so signed by him in conjunction with Hugh de Wells, in August and September of that year.

He also subscribed several in the same manner in May, June, and July, 1203, 5 John; but in 7 John, there is *only one* charter so authenticated, which happens to be the first after the death of Archbishop Hubert, the chancellor, and is dated July 24, 1205.[3]

On all these occasions the charters were authenticated by him in the form specified; but that he could not be a vice-chancellor or keeper is shown by the fact, that *during the same period* he attested several charters as a *witness*, when the name of some other person was attached to the form of au-

[1] Rot. de Oblatis, 2 John, 106, 107. 109.
[2] Hardy's Catalogue, 6.
[3] Rot. Chart. 7 John, 159.

thentication. And this occurred not only then, but both at an earlier and a later period also, commencing from March, 1200, 1 John, proceeding throughout the second year, and continuing at intervals up to May 5, 1208, 9 John.

The general reasons for believing that the persons whose names appear upon these authentications of the charters, when not otherwise described, were clerks of the Chancery, or officers in the treasury of the Exchequer, have been already stated [1]; and the dates and circumstances of the signatures of John de Brancestre do not oppose the presumption.

He received the reward usually accorded to these officers, by being advanced to the dignity of Archdeacon of Worcester, some time between March 25 and May 19, 1200 [2]: and he subsequently received grants of the church of Frotheham, in the diocese of Lincoln, in 3 John; of the perpetual vicarage of Brancestre in Norfolk, probably his native place, in 9 John; and of the prebend of Lidington, in Lincoln Cathedral, in 10 John.[3] In these grants the king calls him "his clerk;" and in 6 John two sheaves of corn (garbas) out of the king's demesne of Wichton, in Norfolk, are conferred upon him, which are described as having been before granted by Henry II., "cuidam clericorum suorum."[4] Again, in 5 John, the custody of the abbey of Malmesbury [5], and in 7 John, that of the abbey of Ramsey [6], were entrusted to him: charges in which the officers in question were frequently engaged. In 6 John he went into Flanders on the king's service, and had twenty marks allowed for his expenses [7]; and there are entries on the Rotulus de Præstitis of 12 John,

[1] See antè, p. 8. et seq.

[2] This is shown by his first using that title on a charter of the latter date, and its being omitted in the last preceding charter with his name of the former date.

[3] Rot. Pat. John, 11. 76. 84.

[4] Rot. Claus. 6 John, i. 4.

[5] Rot. de Liberate, 5 John, 50.

[6] Rot. Pat. 7 John, 62.

[7] Rot. Claus. 6 John, i. 14.

showing that payments from the royal treasury were made through his hands.[1]

That he was of a joyous disposition, and that King John understood his character, may be presumed from the grant in 7 John, of one dolium of good wine of price, and of two more in 9 John.[2] Whether these rewards were given to him in his lay or ecclesiastical character does not appear. He died in 1218.[3]

BRAYBROC, ROBERT DE.

Just. Itin. 1199.

Robert de Braybroc, so called from the place of his residence in Northamptonshire, was the son of Ingebard, by his wife Albreda, one of the daughters and coheirs of Ivo Newmarch. In 9 Richard I., he accounted for the ferm of Bitebroc in Rutland[4]; and in the following year he was sheriff of the united counties of Bedford and Buckingham under William de Albini; an office which he continued to hold, with an interval of two or three years, till 15 John, at first under Geoffrey Fitz-Peter, then with Robert Fitz-Hemer, and lastly by himself, and in conjunction with his son Henry. His county of Northampton, also, he held as sheriff in the same manner from 10 to 15 John, and that of Rutland from 12 to 15 John.[5] These appointments would indicate that he filled some office in the court at Westminster; and the supposition is confirmed by a notice on the great roll of 11 John that certain accounts were rendered "in camera Regis" before Richard de Marisco and Robert de Braybroc[6]: and in the same year the Rotulus Misæ records a payment to

[1] Rot. de Præstit., 3 John, 211, 237.
[2] Le Neve, 302.
[3] Fuller's Worthies.
[4] Rot. Claus. John, i. 51, 102.
[5] Madox's Exch. i. 235.
[6] Madox's Exch. ii. 252.

him of three hundred marks to be placed in the treasury at Northampton.[1]

His name appears among the justiciers before whom fines were acknowledged in 1 and 8 John.[2]

From some cause not explained, he got into disgrace with King Richard, in the tenth year of whose reign he fined 180 marks to be restored to his favour, part of which he paid in 3 John.[3] Although the latter king did not think proper, and perhaps could not afford, to remit this fine, it is clear, from what has already been stated, that he did not remove his confidence. He granted him, in 7 John, the manor of Coreby in Northamptonshire[4]; and Dugdale states that he made him master of his wardrobe, and one of his council; distinguishing him with the special favour of allowing him to hunt in the royal forest. Roger de Wendover names him as one of John's "consiliarios iniquissimos" in the time of the interdict.

His death occurred during the last year of his sheriffalty, 15 John, when he was succeeded by his son Henry, who will be mentioned in the next reign.[5]

BRIWER, WILLIAM.

JUST. 1199.

See under the Reigns of Henry II., Richard I., and Henry III.

BRIWES, JOHN DE.

JUST. 1209.

IN Mr. Hunter's List of Justiciers, extracted from the fines, he introduces John de Briwes in 11 John, 1209; but none

[1] Rot. Misæ, 11 John, 148.
[2] Pref. to Fines of Richard I. and John.
[3] Rot. Cancell. 3 John, 80.
[4] Rot. de Finibus, 7 John, 289.; Rot. Chart. 151.
[5] Dugdale's Baronage, i. 728.; Roger de Wendover, iii. 237.

of the fines of the counties which have hitherto been published contain his name.[1] That he was in some office connected with the Exchequer, appears from an entry on the Rot. de Finibus, 9 John, p. 417, wherein the barons of the Exchequer are commanded to allow in account 15*l.* 4*s.*, which Henry, Archdeacon of Stafford, and John de Briwes, had spent in the purchase of oxen: and in that year also, p. 442, the same two are directed to let Geoffrey de Neville have seisin of the lands of Richard Fitz-Warin as soon as the Sheriff of Cornwall shall inform them that good security has been given for the fine.

The Bishop of Winchester having made him a grant of the custody of the land and heir of Robert de Dunemed, King John confirmed it in the second year of his reign on the fine of a palfrey: but it seems that some contest afterwards arose with the widow relative to it, as in 6 John he paid two palfreys for the respite of the suit with her until the bishop's return to his diocese.[2]

He died before May 31, 1229, on which day his son Robert, who will be noticed in the next reign, did homage for his father's land in Stapel, in Somersetshire.[3]

BURGH, HUBERT DE, Earl of Kent.

Just. Angl. 1215.

See under the Reign of Henry III.

CAMVILLE, GERARD DE.

Just. Itin. 1208.

The ancestor of this family (de Cana Villa) came into England with William the Conqueror. Gerard de Camville

[1] Pref. to Fines of Richard I. and John.
[2] Rot. de Oblatis, John, 133. 238.
[3] Excerpt. e Rot. Finium, 13 Henry III., i. 184.

was the eldest son of Richard de Camville, the founder of Combe Abbey, in Warwickshire, who was appointed one of the justiciaries of the navy in 1 Richard I., and died soon after at the siege of Acre. By Gerard's marriage with Nichola, the eldest of the three daughters of Richard de Haya, and the widow of William Fitz-Erneis, he had in her right the office of constable of the castle of Lincoln. A charter exists among the archives of the duchy of Lancaster[1], which is curious as having been granted by Richard I., between the demise of his father and his own coronation; and as showing that he did not then assume the style and title of "King," but only called himself "Dominus Angliæ." It confirms to Gerard de Camville and his wife Nichola all the right and heritage of Nichola in England and Normandy, together with the custody and constableship of Lincoln Castle, to hold as freely and entirely as Robert de Haya, or Richard de Haya, or any of Nichola's ancestors held the same. He was also made sheriff of the county of Lincoln.

On King Richard's departure to the Holy Land, Gerard de Camville joined the party of Prince John; and William de Longchamp, the chief justiciary, thereupon laid siege to Lincoln Castle. Nichola, however, resolutely defended it[2], and the Prince having surprised the castles of Nottingham and Tickhill, Longchamp was compelled to withdraw his forces. An accommodation followed; but on the king's return Gerard was not only deprived of the sheriffalty and constableship, but also of his own estate; and was reduced to the necessity of purchasing restitution of the latter, with the king's favour, by a fine of two thousand marks. On the accession of King John he recovered the sheriffalty, which he retained till the end of the seventh year of that reign; and received other proofs of the king's regard. Among them

[1] Archæologia, xxvii. 112.

[2] Madox's Exch. i. 22-3.

was the guardianship of Eustacia, daughter of Gilbert Basset, and widow of Thomas de Verdun, with her lands, and liberty to dispose of her in marriage to Richard de Camville, his son.[1] The value of this grant may be estimated by the amount of the fine he paid for it being 1000*l.*, and his son Richard did not fail to realise the advantage by marrying her.

The name of Gerard de Camville as receiving the acknowledgment of fines at Cambridge occurs in 10 & 11 John, 1208–9, and he and his associates are there specially called "Justicii Itinerantes."[2] The Rotulus Misæ, pp. 145. 150., shows that he was in attendance on the king in the latter of these two years; and by the Rotulus de Præstito of the following year, p. 203, it appears that he accompanied the king to Ireland.

That he was alive in 15 John is shown by an entry in Rot. de Finibus, p. 486, where persons are spoken of as in his custody; but he died before it concluded, or in the early part of the next year, as his son Richard then had livery of Middleton Castle, in Oxfordshire, part of his inheritance by descent from his father. Richard left an only daughter, Idonea, who became the wife of William, the son of William de Longspee, Earl of Salisbury.

Gerard's wife, Nichola, survived him for some years, obtained several grants from King John and King Henry III., held the sheriffalty of Lincolnshire, and was constituted governess of the castles of Frampton and Lincoln, the latter of which she gallantly defended against the confederated barons. She died about 15 Henry III., 1230–1.[3]

[1] Rot. de Oblatis, 1 John, 64.

[2] Pref. to Fines of Richard I. and John.

[3] Dugdale's Baronage, i. 472. 628.; Rot. Scacc. Norm. I. cvi.; Ric. Divisiensis, 30.; Roger de Wendover, iii. 24. 30.; Lingard, ii. 3. 35., iii. 77.; Hasted's Kent, iii. 162. The name is sometimes spelled Canville, and frequently a K is substituted for the initial C.

CANTERBURY, ARCHBISHOP OF. *See* HUBERT WALTER.

CANTILUPE, WILLIAM DE.

JUST. 1203.

See under the Reign of Henry III.

CHAUCOMB, HUGH DE.

JUST. ITIN. 1203.

HUGH DE CHAUCOMB is first named in the great roll of 30 Henry II., where he is recorded to have fined one mark that he might be quit of his oath in an assize against the Abbot of St. Alban's.[1] In the last three years of the reign of Richard I. he was Sheriff of Staffordshire; and from the 6th to the 9th John he held the same office in Warwickshire and Leicestershire.[2] The latter king, in the second year of his reign, employed him as a justicier in Normandy, and his debt to the king was respited while he was in that service.[3] In the Rotulus Cancellarii of 3 John, p. 98, it accordingly appears that he was excused his scutage in the Sheriff of Lincoln's accounts.

In 5 John he was one of the justiciers before whom fines were acknowledged in Hampshire and Nottinghamshire[4], and in the same year the king pardoned him a sum of money which he owed to certain Jews.[5] He was also employed in making inquisition at all the ports as to those who brought corn from Normandy: and the castle of Kenilworth was committed to his custody.[6] He held it for four years, and then for some unrelated cause he lost the royal favour; for in 9 John he was ordered to deliver the castle to Robert de

[1] Madox's Exch. i. 459.
[2] Madox's Exch. i. 171. 175.
[3] Fuller's Worthies.
[4] Fines of Richard I. and John; Dugdale's Chron. Series.
[5] Rot. de Liberate, 5 John, 35.
[6] Rot. Pat. 5 John, 33. 35.

Roppell, and was fined in no less a sum than eight hundred marks to recover the good will of the king.[1] His property was considerable, and lay in the counties of Lincoln and Oxford: and his wife's name was Hodierna.[2]

CHESTER, CONSTABLE OF. *See* ROGER DE LACY.
CHICHESTER, BISHOPS OF. *See* SIMON FITZ-ROBERT, RALPH DE NEVILLE.

CLAY, STEPHEN DE.

JUST. ITIN. 1200.

STEPHEN DE CLAY held of the king the manor of Tinden, in Northamptonshire, at a rent of 26*l.* per annum; the grant for which is dated April 25, 1200, 1 John, and was made upon a fine of thirty marks.[3] He is mentioned among the justiciers before whom fines were levied in 2 and 3 John. The fines as yet published only introduce him in the western counties.[4]

CLEVELAND, ARCHDEACON OF. *See* JOHN DE GREY.

CORNHILL, REGINALD DE.

JUST. 1199.

REGINALD DE CORNHILL was the second son of Gervase de Cornhill, of whom some account has been given as a justicier in the reign of Henry II. His elder brother, Henry, died in 4 or 5 Richard I.; after which Reginald, or his son of the same name, held the sheriffalty of Kent, with some short intervals, until 5 Henry III. His seat at Min-

[1] Rot. Pat. 5 John, 74.; Rot. de Finibus, 382.
[2] Abbreviatio Placitorum, 7.
[3] Rot. de Oblatis, 1 John, 68.; Rot. Chart. 49.
[4] Fines of Richard I. and John.

ster, in the isle of Thanet, acquired the name of "Sheriff's Court," which it still retains; and he himself, discontinuing his own name, was styled Reginald le Viscount, even his widow being designated Vicecomitessa Cantii.[1] Between the 6th and 8th years of Richard's reign he seems to have incurred the displeasure of the king, which he removed in the latter year by a fine of five hundred marks.[2] He succeeded his brother also in the management of the mint of England, and continued in connection with it and with the treasury till late in the reign of John.[3]

That he acted in a judicial capacity in 1 John appears from the Rotulus de Oblatis, p. 47, where certain persons are summoned before him and John de Gestling and William de Wrotham, also justiciers. In the fines of that reign his name occurs as being present in court from the 3d to the 10th John; and in 3 John he fixed the tallage as a justice itinerant in Norfolk and Suffolk.[4]

Various other employments show that he was high in the king's confidence. In 5 John he was joined with William de Wrotham, Archdeacon of Taunton, and William de Furnellis, as custodes of the ports of England and the quinzime of merchants; and in the next year he and William de Wrotham were appointed "superiores custodes," when the king made an assize "de moneta custodienda, et retonsoribus et falsonariis monete nostre destruendis."[5]

He was a staunch adherent of King John in all his earlier troubles, and received many substantial marks of his favour. The Reginald de Cornhill who, in the latter contests of his reign, joined the barons, and who was one of those taken prisoner in Rochester Castle, in December, 1215, I take to

[1] Hasted's Kent, i. 178-9.
[2] Madox's Exch. i. 473.
[3] Ibid. 459.; Rot. de Finibus.
[4] Pref. to Fines of Richard I. and John; Rot. Cancell. 3 John, 337.
[5] Rot. Pat. John, 43. 54.

be his son, to whom, and to William de Cornhill, the "Cameraria" was granted in 14 John. His wife, Isabella, paid a fine of five thousand marks for his liberation.[1]

CORNHILL, WILLIAM DE, Archdeacon of Huntingdon; afterwards Bishop of Lichfield and Coventry.

Just. Itin. 1208.

William de Cornhill was an officer of the Exchequer, and connected with the mint of England.[2] I am uncertain whether he was the son or nephew of Reginald de Cornhill, but that he was closely allied to him may be inferred from the fact that the latter was made responsible for a fine which William made for having the king's good will.[3] This fine affords no proof of the royal displeasure, but was probably a present offered to his sovereign, perhaps a payment for the archdeaconry of Huntingdon, which he received in the same year. There is, however, no apparent interruption to the favours bestowed upon him.

Some houses in London were granted to him by the king in 5 John; and in that year Geoffrey Fitz-Peter was ordered to make a provision for him of twenty marks out of the first ecclesiastical benefice in the king's patronage that should drop.[4] In 6 John he had a grant of twenty acres of the wood of Tilgholt, in Kent; in 7 John he was made rector of Maidstone by the king's collation[5]; in the same year he was appointed custos of the abbey of Malmesbury; in the next year he had the same office in the bishoprick of Lincoln; and in 9 John he was raised to the archdeaconry of Huntingdon.[6]

[1] Rot. Claus. 17 John, i. 241.; Rot. Pat. 18 John, 189.
[2] Madox's Exch. i. 338.; Rot. de Finibus, John, 303.
[3] Ibid. 9 John, 412.
[4] Rot. de Liberate, 5 John, 69. 80.
[5] Rot. Chart. John, 137. 157.
[6] Rot. Pat. John, 57. 65. 73.

His name occurs as a justicier in fines levied in 10 John, 1208; but not in any other year.[1] In the two next years, and in 14 John, his personal attendance on the king is noticed on the rolls[2]; and in the latter year he was presented to the churches of Somerton, in Somersetshire, and of Fereby, in Yorkshire; and in conjunction with Reginald, the son of Reginald de Cornhill, received a grant of "Cameraria nostra" from the king.[3] In 15 John he obtained the custody of the lands and heirs both of Thomas Escolland and of Ralph de Anvers, for a fine of one hundred marks each.[4]

On January 25, 1215, 17 John, he was consecrated Bishop of Coventry and Lichfield; and dying on June 19, 1223, he was buried in Lichfield Cathedral.[5]

CREPPING, WALTER DE.

JUST. 1199.

See under the Reign of Richard I.

CREPPING is a manor in Essex which belonged to the Earls of Oxford; and Walter no doubt derived his name from his residence there, as he was one of the justices itinerant who set the tallage on that county in 8 Richard I., 1186.[6] He was soon after raised to the bench at Westminster, and this name appears on many fines levied during the first eleven years of the reign of King John[7], and he is named on a record of 13 John.[8]

The first-named executor of the will of Hugh de Vere,

[1] Pref. to Fines of Richard I. and John.

[2] Rot. Misæ, 11 John, 134.; 14 John, 231. &c.; Rot. de Præstit. 12 John, 237. 247.

[3] Rot. Pat. 14 John, 95, 96. [4] Rot. de Finibus, 15 John, 466, 467.

[5] Godwin de Præsul. 315.; Le Neve, 123. 158,

[6] Madox's Exch. i. 704.

[7] Dugdale's Chron. Series; Pref. to Fines of Richard I. and John.

[8] Abbreviatio Placitorum, 82.

Earl of Oxford, who died in 1263, 49 Henry III., was Walter de Crepping, probably the judge's son or grandson.[1]

DUBLIN, ARCHBISHOP OF. *See* HENRY OF LONDON.
DURHAM, BISHOP OF. *See* RICHARD DE MARISCO.
ELY, ARCHDEACON OF. *See* RICHARD BARRE.

ELY, WILLIAM OF.

JUST. 1208.

WILLIAM OF ELY, a canon of the church of Lincoln, was the king's treasurer during the whole of the reign of John and part of that of Henry III.[2] He is mentioned in that character as one of the justiciers before whom fines were acknowledged in 10 John, 1208[3]: and Dugdale records his death in 8 Henry III., 1223, calling him then Angliæ Thesaurarius. The prebend of Lechton, in Lincoln Cathedral, was conferred upon him in 9 John.[4]

ESSEX, EARL OF. *See* GEOFFREY FITZ-PETER.

FALEISE, WILLIAM DE.

JUST. 1199.

WILLIAM DE FALEISE (in Normandy) held a responsible office in the Treasury of England. Several entries appear on the *Liberate Rolls* of 5 John, of large sums of money carried by him to the king, and of orders made upon him to pay certain expenses.[5]

The only year in which he is mentioned as acting as a

[1] Excerpt. e Rot. Fin. Henry III., ii. 407.
[2] Rot. Chart. 1 John, 49.; Rot. de Liberate; Rot. de Finibus; Dugdale's Chron. Series.
[3] Pref. to Fines of Richard I. and John.
[4] Rot. Pat. 9 John, 73.
[5] Rot. de Liberate, John, 37. 71. 76. 99. 107.

justicier is 1 John, 1199, when a fine was levied before him.[1]

He was the custos of the honor of Gloucester for the first nine years of John's reign[2]; and he and Maurice de Tureville at a later period had the custody of the castle of Winchester, which in May, 1214, 16 John, they were commanded to keep, and one of them was ordered to bring Henry, the king's son, with the queen, to Marlborough.[3]

He married Alice, the daughter of Philip de Linguire, and in 15 Henry III. he acquired some property in Hampshire by the death of her uncle, Hugh de Linguire.[4] He died the next year, 1232, leaving a son, Elias, who succeeded to his estates.[5]

FAUCONBERG, EUSTACE DE, afterwards BISHOP OF LONDON.

JUST. 1199.

See under the Reign of Henry III.

FITZ-AILWYN, HENRY, MAYOR OF LONDON.

JUST. 1206.

HENRY FITZ-AILWYN, called of London Stone, from his dwelling being on the north side of St. Swithin's Church, over against London Stone, was probably a lineal descendant of Ailwin Child, who founded the priory of Bermondsey in 1082, part of his family being buried there. In the first year of Richard I., 1189, he was appointed Mayor of London by the king, being the first who bore that title; and as such he is particularly mentioned to have officiated at the corona-

[1] Pref. to Fines of Richard I. and John.
[2] Madox's Baron. Angl. 59. 66. 76.
[3] Rot. Pat. 16 John, 136.
[4] Excerpt. e Rot. Fin. 15 Henry III., i. 213.
[5] Ibid. 16 Henry III., 220.

tion as chief butler of the kingdom. It was not till 10 John, 1208, that the citizens obtained the power of annually electing a mayor for themselves. Their choice then fell upon Fitz-Ailwyn, who had presided over them from his first appointment, and whom they annually re-elected till his death in 14 John, 1212; so that he held the office for a period of twenty-four years.

His name is inserted in this list of justiciers because he was one of those present at Westminster in 8 John, before whom a fine was acknowledged.[1] How this happened does not appear; nor is he mentioned at any other time as acting in the same character.

He held two knights' fees of the honor of Peverell, in London, and land in Warlingham and Woking, in Surrey. He was also possessed of the manors of Hoo, in Kent, and of Watton, at Stone, in Hertfordshire; the latter of which he held by the serjeanty of finding one foot-soldier for the king's army with bow and arrows. Sir Francis Palgrave, in p. cv. of the Introduction to the Rotuli Curiæ Regis, gives a curious deed by which he grants a piece of land in Lim-Strete, in the City of London, to William Lafaite. The consideration is half a mark of silver "in gersumiam," and the annual rent reserved is twelve-pence. In December, 1203, 5 John, he obtained the king's charter confirming the grants he had made of his lands and tenements.[2]

He died about October 5, 1212, 14 John,[3] and was buried in the priory of the Holy Trinity, near Aldgate. By his wife Margaret, who survived him, he had four sons, Peter, Alan, Thomas, and Richard. Peter, the eldest, married Isabella, the daughter and heir of Bartholomew de Chesney, in right of whom he was possessed of considerable property. They had two daughters, one of whom, Margaret, became

[1] Fines of Richard I. and John.
[2] Rot. Chart. 5 John, 114.
[3] Rot. Claus. 14 John, i. 124. 127.

the wife of Ralph de Clere; and the other, Joan, was married, first, to Ralph le Parmentier, a serjeant of the Privy Chamber; and secondly, to William Aguilon, by whom she had a son, Robert Aguilon, who was one of the council at the end of the reign of Henry III., to whom the great seal was delivered on the death of that monarch.[1]

FITZ-HERVEY, HENRY.

JUST. ITIN. 1208.

See under the Reign of Richard I.

I AM inclined to think that this Henry Fitz-Hervey was the father of Osbert, noticed in the next article; but the early history of the family is involved in some obscurity. If so, he attended King Richard in his expedition to the Holy Land, and was much esteemed by King John.

In 9 Richard I., 1197, he was one of the justices itinerant who fixed the tallage in Cumberland[2]; and in 10 John, 1208, he was present as a justicier when fines were acknowledged at Carlisle.[3]

King John confirmed to him his lands at Hinton in Richmond, in Scorton, and other places; and the Forest in Teisedale, as his ancestors held it; and authorized him to fortify his house at Cudereston.[4]

He married Alice, the daughter of Henry Fitz-Yvo. When he died is uncertain; but he survived Osbert, his eldest son. One of his daughters, Alice, was married to William Fitz-Ranulph, Baron of Greystock[5]; and another, Johanna, was united to Walter de Bolebeck; but soon becoming a widow, Henry de Fontibus gave King John a Lombardy horse of

[1] Liber de Antiquis Legibus, Preface, ii. et seq.; Hardy's Catal. 11.
[2] Madox's Exch. i. 704.
[3] Fines of Richard I. and John.
[4] Rot. Chart. 2 John, 88.
[5] Howard of Corby's Memorials; Dacre Lineage.

price for the royal intercession with her father to permit him to marry her.[1]

FITZ-HERVEY, OSBERT.

Justr. 1199.

See under the Reigns of Henry II. and Richard I.

Osbert Fitz-Hervey's name appears as one of the justiciers of the king's court at Westminster for a period of twenty-five years, viz. from 28 Henry II., 1182, till 7 John, 1205–6; in almost every year of which, he was present when fines were levied there.[2] Several instances also occur of his performing the duties of a justice itinerant during the reigns of Richard I. and John, in fixing the tallages in Middlesex and Norfolk, in setting amerciaments on the men of Kent, and also of Norfolk and Suffolk.[3] It appears from Joceline de Brakelonda that he was sub-sheriff of the latter counties, and evidently a lawyer by profession.[4]

He was a descendant of a younger son of Hervey, Duke of Orleans, named Robert, who accompanied William the Conqueror in his enterprise against England, and received part of the territorial spoil in reward for his services. The name of Osbert's father was Henry, whom I believe to be the justicier last noticed; and his mother was Alice, daughter of Henry Fitz-Yvo. He married Dionysia, daughter of Geoffrey de Grey; and died in April, 1206, leaving an only son, Adam, who was placed under the wardship of Peter de Stok[5], and afterwards under that of William de Huntingfield.[6]

This Adam married Juliana, the daughter of the next-

[1] Rot. de Finibus, 6 John, 237., 9 John, 427.; Rot. Claus. 8 John, i. 83.; Madox's Exch. i. 480.; Brydges' Collins' Peerage, iv. 140.

[2] Fines of Richard I. and John; Dugdale's Chron. Series.

[3] Madox's Exch. i. 200. 544. 704.; Rot. Cancell. 3 John, 329.

[4] P. 25. [5] Rot. Claus. i. 52. [6] Dugdale's Baronage, ii. 7.

mentioned justicier, John Fitz-Hugh; and their descendants, through a long succession of years, were conspicuous in the senate and the field. One of them, Sir William Hervey, having greatly signalized himself under Queen Elizabeth and her successor, was created a baronet by King James on May 31, 1619; and was called to the peerage of Ireland on August 5, 1620, as Baron of Ross, in the county of Wexford. King Charles I., for his eminent services, created him an English baron, by the title of Lord Hervey of Kidbroke, in Kent, on February 27, 1628; but on his death without male issue in 1642, his titles became extinct. The house of peers, however, was not long without a representative of this distinguished family, for Queen Anne, on March 23, 1703, raised John Hervey, a descendant from the elder brother of the grandfather of Lord Hervey of Kidbroke, to the peerage, by the title of Lord Hervey of Ickworth, in Suffolk; and by George I. he was advanced to the earldom of Bristol on October 19, 1714. The fifth earl was created Earl Jermyn and Marquis of Bristol by George IV., on June 30, 1826.[1]

FITZ-HUGH, JOHN.

JUST. 1208.

AMONG the justiciers before whom fines were acknowledged in 10 John, 1208, the name of John Fitz-Hugh occurs.[2] He was of a Yorkshire family, and in the second year of that reign he gave ten marks and a palfrey for a confirmation of the charters he had of Bernard de Bailliol, in Northumberland. He had also possessions in Berkshire.[3] He was then high in the king's employment, being constable of Windsor Castle, in the custody of which we find him noticed

[1] Brydges' Collins' Peerage, iv. 140. &c.; Nicolas's Synopsis of the Peerage.
[2] Pref. to Fines of Richard I. and John.
[3] Rot. de Oblatis, 2 John, 112.; Rot. Cancell. 3 John, 58. 257. 259. 268.

throughout the whole of the reign, and in that of Henry III. He had the charge also of the park at Guilford, and of the manor of Woodstock.[1]

In 10 and 12 John, he held the sheriffalty of Sussex, and during the three following years, that of Surrey; and in some of these years was concerned in the receipt of the tallage from the Jews, and in the collection of the customs of woad and wine.[2] The Rotulus Litterarum Clausarum contains a large number of mandates addressed to him on all sorts of subjects; and among them, he is commanded on August, 1212, to send the great crown, with all the regalia which he had in his custody, to the king at Nottingham, by William de Cornhill, Archdeacon of Huntingdon, with certain others in whom he can confide.[3]

He was a firm adherent to King John, and was not only present with him in the eleventh year of his reign, when the donum to the Scotch army passed through his hands, and also in the following year, on the expedition to Ireland[4], but during his subsequent contests with the barons.[5] He seems, however, to have been suspected, in the last year of John's reign, of joining with them, but eventually succeeded in satisfying King Henry that he was not engaged in the war.[6]

On March 7, 1222, 6 Henry III., his death is mentioned in a mandate to the Sheriff of Wiltshire to take possession of his lands till the king otherwise ordered[7]; and on the same date Peter Fitz-Herbert is directed to give up his son and heir, who was in his custody, and whose wardship belonged to the king, to Hubert de Burgh, the chief justiciary.[8] On the

[1] Rot. Claus. John, i. 13, 14. 272. [2] Madox's Exch. i. 123. 774.
[3] Rot. Claus. 14 John, i. 122.
[4] Rot. Misæ, 11 John, 125.; Rot. de Præstito, 140. 186. 230.
[5] Roger de Wendover, iii. 301.
[6] Rot. Claus. 10 John, i. 277.; 1 Henry III., 297. 316. 319. 336.
[7] Excerpt. e Rot. Fin. 6 Henry III., i. 83.
[8] Rot. Claus. 6 Henry III., i. 490.

5th of April following, the Sheriff of Berkshire is ordered to assign a reasonable portion to Matilda de Berneres, his widow, until his son and heir should assign her dower out of her husband's lands[1]; and two days afterwards, Peter Fitz-Herbert gives a fine of forty marks for having the custody of the lands and the marriage of the heir.[2] All these show that he left a son: but in 8 Henry III., Adam Fitz-Hervey is stated to have married Juliana, the *daughter and heir* of John Fitz-Hugh; and the Sheriff of Berkshire is commanded to give them seisin of certain lands that belong to her as heir.[3] The son probably died in the interval; and this will account for the uncommon circumstance of the king returning thirty of the forty marks paid by Peter Fitz-Herbert.[4] This Adam Fitz-Hervey was the son of Osbert Fitz-Hervey, mentioned in the previous notice.

FITZ-PETER, GEOFFREY, EARL OF ESSEX.

JUST. ANGL. 1199.

See under the Reign of Richard I.

DUGDALE commences his history of the family of Fitz-Peter with this Geoffrey, without any mention of who his father was. In giving some account of Simon Fitz-Peter, a justicier in the reign of Henry II., I have suggested the possibility that Geoffrey might have been his son.[5] Independently of the name, it is apparent that he had been brought up in the court, where Simon had also filled some office; and in 31 Henry II., 1185, he was appointed to the sheriffalty of the county of Northampton, in which Simon had acted in the same capacity for fourteen years at the commencement of the reign.[6]

[1] Rot. Claus. 6 Henry III., i. 491.
[2] Excerpt. e Rot. Fin. i. 84.
[3] Ibid. 116.
[4] Rot. Claus. i. 616. 641.
[5] See vol. i. p. 242.
[6] Fuller's Worthies.

In that same year he was one of the justices of the forest, the duties of which he continued to perform till the death of King Henry[1]; and in 1 Richard I. he acted as a justice itinerant in various counties.[2] It would appear also that he was then a regular justicier, "resident at the Exchequer," as he was exempted on that account from the payment of his scutage and other assessments.[3]

King Richard compelled him to pay a fine for not joining the crusade[4], but at the same time showed the estimation in which he held him by appointing him one of the council to assist Hugh Pusar, Bishop of Durham, and William de Longchamp, Bishop of Ely, in the government of the kingdom; and in the subsequent disputes directing him, in conjunction with Walter de Constantiis, the Archbishop of Rouen, and others, to act independently of the chancellor. About this time he became sheriff of the united counties of Essex and Hertford, being probably so named on account of the property to which he had succeeded in right of his wife, Beatrice, on the death of William de Mandeville, Earl of Essex. She was one of the daughters and co-heirs of William de Say, by Beatrice, the sister of Geoffrey, father of the deceased earl.

His continued employment as a justicier during Richard's reign is shown by his being present when fines were acknowledged at Westminster[5]: and on the resignation of Hubert Walter, Archbishop of Canterbury, in July, 1198, 9 Rich. I., he was placed in the high office of chief justiciary of the kingdom.[6] His military talents were immediately called into exercise against the Welsh, whose king, Gwenwynwyn, he completely defeated.

[1] Madox's Exch. i. 547.; ii. 132.; Rot. de Oblatis, 1 John, 6.
[2] Pipe Roll, 1 Richard I., 35. &c.
[3] Dialogus de Scacc.; Madox's Exch. ii. 390 n.
[4] Ric. Divisiensis, 8.
[5] Pref. to Fines of Richard I. and John. [6] Dugdale's Chron Series.

On Richard's death in the following year, being continued in his office, he induced the nobles to take the oath of fealty to King John, at Northampton. On the day of the coronation he was created Earl of Essex, the partition of the last earl's property between him and William de Bocland, the husband of his wife's sister, having been previously confirmed, and the claim of Geoffrey de Say, her uncle, having been arranged. His performance of the duties of his office was marked with exemplary activity, and he exerted himself with considerable energy in exacting the taxes which King John imposed. At the same time, he appears to have joined in the king's amusements, as a payment of five shillings was made to him "ad ludum suum."[1] In 11 John is a curious entry on the great roll, of his fining in ten palfreys and ten hawks that the king of Scotland's daughter might not be committed to his custody; but he was excused the palfreys.[2] He was no doubt famous for his choice of hawks, for which he seems to have had an expensive taste, if we may judge from his having purchased one from the king at the extravagant price of four tunells of wine.[3] Neither was he averse from the pleasures of the table, for we find that he paid for eating flesh with the king on a fast-day.[4]

During the contest with Rome he supported his royal master, but was compelled to be a witness to the disgraceful document, dated May 15, 1213, 14 John[1], by which the

[1] Rot. de Præstito. 7 John; Cole's Documents, 272. 275.

[2] Madox's Exch. i. 462. [3] Rot. de Finibus, 6 John, 243.

[4] Rot. Misæ, 14 John; Cole's Documents, 248.

[1] This charter of resignation affords an instance of the inconvenience arising from commencing the regnal year with a moveable feast. Its date is May 15th, in the fourteenth year of the king's reign. Now, as Ascension-day in 1212 fell upon May 3, and in 1213 on May 22, it follows that in this, the fourteenth regnal year, there were nineteen days at its commencement which are repeated at its close; and that consequently there were two 15ths of May. In all documents bearing date on either of these nineteen days, it is difficult to determine whether they were made in 1212 or 1213. If other evidence did not

crown was surrendered to the pope. In a few months after this event, this great man terminated his career, dying on the second Ide of the following October. He was buried at the priory of Shouldham, in Norfolk, which he had founded.

For twenty-eight years he had filled a judicial position; fifteen of them as head of the law, and principal minister of the kingdom. Invested with extraordinary power, the absence of complaint in such difficult times is a proof that he used it without harshness; skilful in the laws, he seems to have administered them with firmness; and the lengths to which the king soon after resorted appear to show that the royal impetuosity had been previously checked by his prudence. Matthew Paris says that the king hated, but feared, him; and that upon his death he exclaimed, "Per pedes Domini, nunc primo sum rex et dominus Angliæ." How the infatuated monarch used his freedom, the history of the remainder of his reign affords a lamentable display.

Besides the three counties of which it has already been mentioned that he was sheriff, several others were placed under his charge in the early part of this reign: and the king made various grants to him which it is unnecessary to specify in detail. It is sufficient to remark that when his son did homage on succeeding him, the sheriffs of no less than seventeen counties were commanded to give possession of the lands he held in each of them.[1]

By Beatrice, his first wife, he left three sons; Geoffrey,

prove that the deed of resignation was executed in 1213, careless historians might infer that King John was not much depressed by his humiliating condition; inasmuch as a patent roll records that on the 14th May, 14 John, apparently the very day previous to this event, he sent from Geoffrey Fitz-Peter's manor of Ditton in Surrey, where he had been entertained by his chief justiciary, a chaplet of roses to his mistress, and gave a servant of the sheriff of Nottingham two shillings for taking it. The fact, however, is, that this offering was sent on the first of the two 14ths of May, viz. that in 1212. Hardy's Pref. to Pat. Rolls, 158.

[1] Rot. de Finibus, 15 John, 502.

(who took the name of Mandeville) and William, who both succeeded to his title; and Henry, Dean of Wolverhampton: and a daughter, Maude, married to Henry de Bohun, Earl of Hereford, whose son became Earl of Essex on the death of Geoffrey and William without issue. The title continued in the family, through female channels, till the year 1646, when it became extinct on the death of Robert Devereux, the then earl, without children.

Geoffrey Fitz-Peter's second wife was Aveline, by whom he had a son named John, lord of the manor of Berkhampstead, in Hertfordshire, who was made justice of Ireland.[1]

FITZ-RICHARD, WILLIAM.

JUST. ITIN. 1202.

See under the Reign of Henry II.

WILLIAM FITZ-RICHARD was sheriff of the counties of Buckingham and Bedford from 16 to 25 Henry II.; during the first four of these years, in conjunction with David the Archdeacon, and during the latter six without any coadjutor. He was preceded in this office by a *Richard* Fitz-Osbert, who possibly might have been his father.[2] According to the practice then adopted, he was appointed, as sheriff, one of the justices itinerant to fix the assize for those counties in 20 Henry II., 1174, Richard Fitz-Nigel being the other; and so again in 23 Henry II.[3]

Nothing further occurs as to this William Fitz-Richard during Henry's reign; and it is difficult to ascertain whether facts subsequently related in connection with the same name refer to the same individual. The Christian names, Richard and William, were common in those times, the adoption of

[1] Dugdale's Baronage, i. 703.; Turner's Engl.; Roger de Wendover, iii. 49. 129. 137. 173. 254. 271.; Royal Tribes of Wales, 71. Fuller's Worthies.

[2] Madox's Exch. i. 124. 132.

surnames was but partially introduced, and the customary mode of distinguishing the different members of every family was by his Christian name with the addition of that of his father, preceded by the word "filius," translated in the language of the time by the term "Fitz." Scarcely a roll occurs, therefore, which does not mention several bearing the same designation, who are evidently not the same persons. Thus, in the instance before us, in one year only (3 John) we find entries in four different and distant counties referring to William, the son of Richard; three of which, if not all, have no relation to the subject of the present notice.[1] Again, in the reign of Richard, Dugdale states that William Fitz-Richard, "a great man at that time in Warwickshire," accounted for the profits of the lands of Bertram de Verdun, which he held during the minority of his son.[2] And in the same reign, Hubert, Archbishop of Canterbury, the chief justiciary, sent Earl Roger Bigot, William de Warenne, William de Stuteville, Hugh Bardolf, William Briwer, Geoffrey Haget, (all at that time justiciers), and William Fitz-Richard, *Clerk,* to hear and determine the controversy between the Archbishop of York and his canons.[3] There is nothing to identify the one of these with the other, nor either of them with the above-mentioned Sheriff of Buckinghamshire and Bedfordshire.

From the position which the William Fitz-Richard holds in the commission to York, it is evident he was the junior. The word "clericum" added to his name may apply either to his sacred or his official character, for even then the term was used without distinction.[4] It seems more likely that it has

[1] Rot. Cancell. 3 John, Dorset and Somerset, 199.; Oxford, 272.; Yorkshire, 295.; Bucks and Beds. 343., which is probably the sheriff.

[2] Dugdale's Baronage, i. 472.

[3] Madox's Exch. i. 35.

[4] The charter of Walter Map has several witnesses; among them are "Willelmo *capellano,* Thoma, clerico *meo,* Waltero, clerico, Jacobo, clerico." Poems of Walter Mapes, Camden Soc. Introd. xxix.

no reference to his being in holy orders, because, if so, he would probably have been named before some of the others; but that he was one of the clerks of the court appointed to attend the rest for the purpose of putting their proceedings into form. Whether he was the same person whose name subsequently appears as one of the justiciers before whom fines were taken in the Curia Regis in 4 and 10 John[1], must be left to conjecture.

FITZ-ROBERT, or DE WELLS, SIMON, ARCHDEACON OF WELLS, PROVOST OF BEVERLEY, BISHOP OF CHICHESTER.

? KEEPER, or VICE-CHANCELLOR, 1199.

MANY of the charters of the early part of the reign of King John are concluded with the words "Dat. per manus Simonis Archidiaconi Wellensis et J. de Gray;" both of whom some writers have therefore designated keepers of the seal under the Chancellor Hubert, Archbishop of Canterbury. As in no instance have their names, or those of others who appear in the same manner, any addition designating that office, such as "Vice-cancellarius," or "tunc agens vices Cancellarii," as in the reign of King Richard, it admits of considerable doubt whether this character is properly assigned to them; especially as in every case the persons so introduced are known to have held some other office in the Court. They probably were clerks of the Chancery, or officers of the treasury of the Exchequer, where the great seal was usually kept.

The first date on which these two names appear is September 16, 1199, 1 John[2]; and they continue to sign together till June in the following year: after which, Simon, the archdeacon's name alone is appended to numerous charters for a long period ending in June 1204, 6 John.[3] In March, 1203, he was

[1] Fines of Richard I. and John.
[2] Rot. Chart. John, 23.
[3] Ibid. 74 to 135.

provost of Beverley: but the loss of the charter rolls of 3 and 4 John renders it impossible to fix the date of his appointment. On April 9, 1204, 5 John, he is first styled "Elect of Chichester," to which see he was consecrated in the following June.

That he held some office in the chamber of the Exchequer is apparent from an entry on the great roll of 3 John[1], stating that the knights of the Archbishop of Canterbury accounted for fifty marks which were received for their use out of the "Camera Regis, per manus Simonis, Archidiaconi Wellensis, et Roberti de Tateshall." In the next year also there is a mandate to him, directing him to pay certain sums out of the first monies that came into the Exchequer of London[2]: and in 5 John are two others in reference to fines, the amount of which are to be settled by him.[3] It appears, also, that in January, 1202, the gaol of the Fleet was committed to his custody, and also the palace at Westminster.[4] In the same year, he had letters of presentation to the church at Faversham.[5]

Le Neve, in his list of archdeacons of Wells, calls him Simon Fitz-Robert; and in that of the bishops of Chichester introduces into the proper place Simon de Wells[6], evidently not being aware that the two names belonged to one and the same person. Godwin also calls the bishop Simon de Wells. That his actual surname was Fitz-Robert is proved by two curious charters[7]; by one of which King John, on February 7, 1201, confirms to him, by the name of "Symoni filio Roberti," Archdeacon of Wells, a grant of certain lands in Stawell, in Somersetshire, with the advowson of the church there, which had been estreated in consequence of the felony of Alice, the wife of *Robert* de Wattelai, in killing her husband,

[1] Madox's Exch. i. 388. a.
[2] Ibid.
[3] Ibid. 11.
[4] Rot. Pat. John, 27.
[5] Rot. Pat. 3 John, 4.
[6] Le Neve, 43. 56.
[7] Rot. Chart, 2 John, 86. 88.

for which she was condemned and burnt: and by the other, dated the 22d of the same month, the king grants to him the land of Burgelay, in the manor of Meleburn, which the said *Robert* de Wattelai and Alice his wife had held as of her inheritance, but which had been forfeited by the same felony of which she had been convicted. It may not be improbably surmised, from the peculiarity of these two grants, that the Robert of whom Simon was the son was the murdered man, Robert de Wattelai; and that the grants were in fact a restoration of the property which he would have inherited but for the crime committed by Robert's wife. It was not uncommon in this age for an ecclesiastic to discard his family name, and adopt that of the place of his birth, education, or preferment. It is certain that this bishop is generally known as Simon de Wells: but inasmuch as he had not discontinued the name of Fitz-Robert at the time when these grants were made, the assumption of the new name may possibly, in this instance, have been influenced by the tragical events recorded in them.

Little is told of Bishop Simon after his elevation: but it may be collected from the rolls that he did something for the reparation of his church, as he obtained permission to bring his marble from Purbeck for that purpose.[1] That he continued to enjoy the royal favour is shown, by the king in January, 1207, giving him letters "ad dominum S. de Malo Leon," desiring all honour should be shown to him; with letters of protection during his absence.[2]

In the course of that year he died; in what month does not appear, but it must have occurred before September 11, the patent roll of that date[3] speaking of the bishoprick as vacant.[4]

[1] Rot. Pat. 6 John, 49. 52.
[2] Ibid. 8 John, 68.
[3] Ibid. 9 John, 75.
[4] Godwin de Præsul. 504.

FITZ-ROGER, ROBERT.

JUST. ITIN. 1201.

See under the Reign of Richard I.

ROBERT FITZ-ROGER was the son of Roger Fitz-Richard, a grandson of Eustace Fitz-John, noticed in the reign of Henry I.[1], and Adeliza, his wife. He married Margaret, the daughter of William de Chesney, and widow of Hugh de Cressi; and obtaining with her considerable property in Norfolk, he became sheriff of that county and of Suffolk in 3 Richard I., and held the office during the three following years, and also in the last year of that reign, and in 1, 2, and 14 John.[2]

In 3 Richard I., 1191, he was present in the Curia Regis as a witness to a final concord then made there[3]; and accompanying the king into Normandy in the sixth year of his reign, he was in consequence excused his scutage.[4] In 9 Richard I., 1197, he, in conjunction with other justices itinerant, fixed the tallage in Norfolk[5]; and was present in the following year on the acknowledgment of fines at Norwich. Other fines were levied before him in 3 John, 1201[6]; and in 5 John a royal precept to the barons of the Exchequer was countersigned by him.[7]

King John, after his accession, granted him a charter of confirmation of his inheritance of the castle and manor of Workworth, in Northumberland, of which county he held the sheriffalty from 3 to 14 John. He founded the priory of Langley, in Norfolk, about the end of Richard's reign[8]; and dying in 14 John, his widow, Margaret, paid 1000*l.* for

[1] See vol. i. p. 115.
[2] Fuller's Worthies.
[3] Introd. to Rot. Curiæ Regis, cvii.
[4] Madox's Exch. i. 590.
[5] Ibid. 704.
[6] Fines of Richard I. and John.
[7] Rot de Liberate, 81.
[8] Dugdale's Monast. vi. 929.

seisin of his property, which had been greatly increased by various grants from the king.[1]

His eldest son, who was called John Fitz-Robert, succeeded him[2], and will be mentioned as a justice itinerant in the next reign. After three generations, the family assumed the name of Clavering, from a manor so called in Essex, which belonged to this Robert. John de Clavering, who was summoned to parliament by the first three Edwards, died in 1332, leaving only female issue.[3]

FLANDRENSIS, or LE FLEMING, RICHARD.

JUST. 1199.

See under the Reign of Richard I.

RICHARD FLANDRENSIS, or Le Fleming, was one of the justiciers before whom fines were levied at Westminster in the last year of Richard's reign, 1198–9, and the first three years of that of King John, 1199–1202.[4] In 3 John and the two following years, he held the sheriffalty of Cornwall[5]; and from an entry on the chancellor's roll of 3 John, p. 16, it would appear that he was connected with the receipt of the king's revenue in Devonshire, as it records the payment to him of the sum of 20*l.* His property was in the latter county; and he and William Fitz-Stephen in 7 John gave two palfreys for the grant of a market at Dartmouth. In the same year the king, in consideration of six hundred marks and six palfreys, granted to him and his four sons, Richard, William, Henry, and Laurence, after him, the custody of the lands in that county and eight others, and the wardship and marriage of the heir of Richard de Greinville.[6]

[1] Madox's Exch. i. 491. 508.
[2] Rot. Chart. 14 John, 187.
[3] Dugdale's Baronage, i. 106.; Nicolas's Synopsis.
[4] Fines of Richard I. and John.
[5] Fuller's Worthies.
[6] Rot. de Finibus, John, 221. 295. 362.

I know not whether it was his son Richard, who was with the king in Ireland in 12 John, payments to whom and to two of his knights are noticed in the Rotulus de Præstito, p. 201–217. The land of a Richard Flandrensis also, in Gloucestershire, was given away by the king in 18 John, evidently having been forfeited in the rebellion.[1] But the name being by no means uncommon at the time, it is impossible to say that either of these are of the same family.

FURNELLIS, or FURNAUS, HENRY DE.

Just. 1199.

HENRY DE FURNELLIS, or Furnaus, is stated by Fuller to have held the sheriffalty of Devonshire during the last nine years of the reign of Richard I.; but it would rather seem that he acted as under-sheriff, as in the great roll of 9 Richard I., Richard Revel is mentioned as sheriff, and Henry de Furnellis accounts "pro eo."[2] In 3 John he accounts in the same manner for Shropshire as the substitute of Geoffrey Fitz-Peter, then the sheriff of that county.[3] There is little doubt, therefore, that he held an office in the Exchequer; and it was probably in that capacity that he was present in 1 John, when his name appears among the justiciers before whom a fine was acknowledged.[4]

He was probably a relative, perhaps the son, of Alan de Furnellis, noticed in the reign of Henry II., who had also been sheriff of the county of Devon.[5]

[1] Rot. Claus. i. 281. 283.
[2] Fuller's Worthies; Madox's Exch. i. 276.
[3] Rot. Cancell. 3 John, 121.
[4] Fines of Richard I. and John.
[5] See vol. i. p. 249.

FURNELLIS, or FURNAUS, WILLIAM DE.

JUST. ITIN. 1208.

THE two members of this family who have been already mentioned[1] were connected with the court. William de Furnellis or Furnaus also held a similar position, and in 5 John was one of the fermers of the quinzime arising from merchandize in England.[2] According to the custom of the time, he was likewise of the clerical profession; and in the same year we find a royal mandate directed to Geoffrey Fitz-Peter to give him ecclesiastical preferment to the extent of 40*l.* a year as soon as the other royal promises had been satisfied.[3] It was probably in discharge of this promise, that in the same year he received a grant of the manors of Bromesgrove and Norton to ferm during his life, paying the old rent, and the increase paid by Hugh Bardolf[4]; for we find him in possession of the living of Bromesgrove at the time of his death, in 1236, when the bishops gave it to the use of the monks of Worcester.[5]

He was present at Cambridge in 10 and 11 John, 1208–1210, when fines were taken there before him, in which he is called a justice itinerant.[6]

There can be little question that the William de Furnaus to whom King John, for a fine of sixty marks "et duos caszores," confirmed the charter he had granted while Earl of Moreton of his lands and liberties in Lancashire, was a different person.[7]

[1] See antè, p. 73.; and vol. i. 249.
[2] Madox's Exch. i. 771.
[3] Rot. de Liberate, 5 John, 69.
[4] Rot. Chart. 5 John, 122.; see also Rot. Claus. 17 John, i. 223.
[5] Anglia Sacra, i. 489.
[6] Fines of Richard I. and John.
[7] Rot. de Oblatis, 1 John, 10.

GESTLING, JOHN DE.

Just. 1199.

See under the Reigns of Richard I. and Henry III.

GLOUCESTER, Archdeacon of. *See* John de Grey.

GREY, JOHN DE, Archdeacon of Cleveland and Gloucester, Bishop of Norwich.

?Keeper, 1199. Just. 1201.

John de Grey, or Gray, was one of the descendants of Anchitel de Gray, a Norman, who came over with the Conqueror, and received from that prince various large possessions. John's grandfather was Richard de Gray, a great benefactor to the abbey of Ensham, in Oxfordshire, and his father was Anchitel, the eldest son of Richard. John was a native of the county of Norfolk; and filled some office in one of the departments of the Curia Regis.[1] Being also, as was then usual, brought up to the church, he was, about March 3, 1200, preferred to the archdeaconry of Cleveland, which in the early part of the following April he exchanged for that of Gloucester.[2] Whether he received these dignities in the ordinary succession as an officer of the Exchequer or the Chancery, or owed them to the special favour of King John, does not appear. He was, however, attached to that prince before he came to the crown, and authenticated one of his charters in February, 1198[3], and his frequent attendance at the court after John's accession is shown by several royal charters given under his hand, and that of Simon Fitz-Robert, Archdeacon of Wells, from September, 1199, to June, 1200.[4]

[1] Rot. de Oblatis, 1 John, 12 to 73.

[2] Le Neve, 303. 328.

[3] Rot. Scacc. Norm. Observations, II. lxxxvi.

[4] Rot. Chartarum, 1 & 2 John; Dugdale's Monast. ii. 168. 418., v. 112., vi. 956. 1090.

On this account Mr. Hardy has inserted their names among the keepers of the great seal; but it may be doubted whether they are entitled to any other designation than that of mere officers, who affixed the seal for Archbishop Hubert, the chancellor at the time. There is no doubt that John de Grey held some place connected either with the Chancery or the Exchequer, probably the former; and he is described as being very learned in our municipal laws.

His erudition and his wit, for both of which he was remarkable, soon made him a favourite with King John, who procured his election to the bishoprick of Norwich; and he was accordingly consecrated as the successor of John of Oxford, on September 24, 1200, 2 John. Under that title his name frequently appears from this time till the eighth year of the reign as one of the justiciers before whom fines were levied in the Curia Regis at Westminster, and on the different itinera.[1]

On the death of Hubert Walter, Archbishop of Canterbury, in 1205, he was, on the earnest recommendation of the king, elected to fill the vacancy.[2] Although he was actually enthroned, the pope set aside the election, pretending that he was too much employed by the king in secular affairs to have sufficient leisure to attend to the spiritual government of the church. The appointment of Stephen de Langton followed; but the king, indignant at the pope's assumption, and at his favourite's election being annulled, refused to acknowledge him. This led to the kingdom being placed under interdict,

[1] Preface to Fines of Richard I. and John; Rot. de Oblatis, 6 and 7 John, 211, 351.

[2] By the attestation to a charter, dated April 4, 1206, in Dugdale's Monasticon (1846), vi. 457., readers are likely to be misled and induced to suppose that John de Grey was chancellor. The first witness is described thus: "J. Norwicensi episcopo, et *cancellario*, electo." Being a copy by Inspeximus in a charter of Edward III., the copyist, or perhaps the printer, has erroneously substituted these words for "*Cantuar.* electo."

and soon after to the excommunication of the monarch. The bishop's disappointment, it is to be feared, prompted the king in the first instance to resist the intrusion, and for some time encouraged him in continuing the hopeless contest. He, however, was soon removed from the actual scene of contention, by being sent as lord deputy to Ireland, where, shortly after, in 1210, he aided King John on his visit there, in the arrangement of the province into counties, and in the introduction of English laws.

On the invasion of England by Prince Louis of France, in 1213, the bishop brought over from Ireland a powerful force to the king's assistance; but was soon after compelled to witness his royal patron's resignation of the crown to Pope Innocent, and to proceed to Rome to arrange the terms on which the clergy were to receive compensation for the losses they had sustained through the king's proceedings.

During his return from this embassy he fell sick at Poictiers, and died there on November 1, 1214. His remains were brought to England and honourably interred in his own cathedral.

He was a man of agreeable manners and sprightly conversation, well informed and intelligent, ready in counsel, and energetic in action. He was fond of antiquarian studies, and the author of some historical and other works. His rule in Ireland was without blame; and if his virtues deserved the praise that is given to them, he must have deeply regretted that he did not at once submit to papal authority, and sacrifice his personal aggrandisement to the peace of his country.

He was the uncle of the chancellor, Walter de Grey, afterwards Archbishop of York; and made himself responsible for the sum of five thousand marks, which that prelate agreed to give for the Chancery.[1]

[1] Godwin de Præsul. 429.; Weever, 789.; Bloomfield's Norfolk, i. 274. 577.; Roger de Wendover, iii. 185., &c.; Lingard, ii. 17 to 25.

GREY, WALTER DE, Archdeacon of Totness, Bishop of Worcester, Archbishop of York.

Chancellor, 1205.

Walter de Grey was the nephew of the above-named John de Grey, Bishop of Norwich, being the second son of the bishop's elder brother, who was also named John, by his wife Hawise.

There is no account of his early career, and the first fact which is recorded of him is his purchase of the Chancery for the sum of five thousand marks, to be paid by instalments of five hundred pounds at the feast of St. Andrew and at Pentecost in each year. The charter by which this grant is confirmed to him is dated October 2, 1205, 7 John, and his uncle is not only one of the witnesses to it, but makes himself responsible on the roll for the payment of the fine.[1]

Various ecclesiastical preferments were now presented to him; and in May, 1207, he was made Archdeacon of Totness, with the prebend in the church of Exeter, which had belonged to Gilbert Basset.[2]

Godwin says that in 1210 he was elected Bishop of Lichfield and Coventry; and Richardson agrees with him in the date, but adds that it was only by the canons of Lichfield, the monks of Coventry choosing another person. Both elections were made void, and William de Cornhill was appointed instead of either. By the patent rolls, however, it appears that Walter de Grey was not elected till about August, 1213, in which month the archdeaconry of Totness, "qui fuit dilecti cancellarii nostri Walteri de Gray, Coventr. electi," is given to Thomas de Boues.[3] That this grant was afterwards cancelled on the voidance of his election to the

[1] Rot de Finibus, 7 John, 368.; Rot. Chart. 158.; Rot. Claus. i. 53.
[2] Rot. Chart. 176.
[3] Rot. Pat. 15 John, 103.

bishoprick, is clear from the fact that when he was subsequently appointed to the see of Worcester, he was still in possession of the archdeaconry, which was then presented to W., provost of St. Audomer[1]; Thomas de Boues having been in the mean time provided for by the grant of two livings.[2]

Walter de Grey was soon after sent on a mission to Flanders; and there is a mandate to the Sheriff of Kent, dated the 10th of October, 1213, 15 John, to provide him a ship for that purpose.[3] Previous to his departure, he of course sent the seal to the king. Richard de Marisco, then an officer in the treasury of the Exchequer, was his messenger, who accordingly delivered it on the 9th of October, at Ospringe. But Walter was still chancellor, and is so styled not only in this entry of October 10, but also in another of the 14th.[4] During his absence, however, which probably lasted longer than was expected, there is no doubt that the king appointed Peter de Rupibus his chancellor, who is so designated in two records dated the 21st and 24th November, 1213[5]; and the seal was delivered to Ralph de Neville on December 22, to be held under him. The bishops did not, however, long continue in office, for Walter de Gray on his return resumed the title; and from January 12, 1214, 15 John, till July 7, 1214, 16 John, (although in the interval he had been again abroad), he is never mentioned without that designation.[6]

During this second absence he was elected Bishop of Worcester, and the last-mentioned entry is a mandate to the Bishop of Winchester to give him possession of the

[1] Rot. Pat. 15 John, 111.
[2] Rot. Claus. i. 156.
[3] Ibid. 104. 108.
[4] Rot. Claus. i. 153.; Rot. Pat. 105.
[5] Rot. de Finibus, 15 John, 507. 509.
[6] Rot. Pat. 108, 109. 111.; Rot. Claus. i. 160, 161, 162. 168.

bishoprick. He was not, however, consecrated till October 5, and it was probably not till then that he resigned the office of chancellor; the 29th of that month being the date of the first record in which his successor, Richard de Marisco, is so denominated.

During his chancellorship, his name is mentioned among the justiciers before whom fines were levied in the 9th, 11th, and 14th John.[1]

The account given by Roger de Wendover, that he was appointed chancellor when King John's anger was excited against Hugh de Wells for receiving consecration as Bishop of Lincoln from Archbishop Langton, is palpably erroneous. That event occurred in 11 John, while Walter's charter of appointment is dated in 7 John; and the different rolls contain proofs of his performing the functions of the office in the 9th and 10th John.[2]

As little reliance can be placed on the same historian in calling him still chancellor when he was sent by the king to France after Magna Charta was signed at Runnymead, in June, 1215, 17 John, to raise foreign levies for his assistance.[3] During the war with the barons, Walter de Grey adhered closely to the king; but, though he was chancellor at the time, he is not mentioned as having placed the seal to the charter of May 15, 1213, 14 John, by which the king resigned the crown to the pope.

In the contest for the archbishoprick of York, after the death of Geoffrey Plantagenet, his faithful adherence to the king procured his election in opposition to Simon de Langton, brother to the primate. The immaculate chastity of his life was urged to the pope to procure his confirmation; and the plea was allowed on a promise to supply the papal treasury with a donative of no less than 10,000*l.*; and he accordingly

[1] Fines of Richard I. and John.
[2] Roger de Wendover, iii. 231.
[3] Ibid. 320.

received the pall on May 24, 1216. Thus did he a second time attain the object of his ambition by feeding the avarice or supplying the necessities of those who had the disposal of the places. The straitened means to which he was reduced in order to meet the payment of a sum so enormous in those times, obtained for him among those who were not aware of, or did not consider the tax upon his means, a character for sordid avarice; an imputation which no doubt induced his contemporaries to believe the absurd story that is related of his having, during a famine, hoarded a quantity of corn, which became the resort of innumerable snakes, serpents, and other reptiles, and from which a fearful voice proceeded, commanding the ricks to be avoided, as they and all the possessions of the bishop belonged to the devil.

That he was not truly charged with avarice, however, is proved by his generosity when he had cleared himself from his heavy debt. Not only did he restore part of his cathedral, and make many munificent additions to the see, and to his church, but he presented the manor of Thorpe as a residence for his successors, and purchased also for them the palace at Westminster, which had been built by Hubert de Burgh. The former is still, under the name of Bishopsthorpe, in the occupation of the archbishops; and the latter, with the name of York Place, continued to be so till Cardinal Wolsey alienated it to King Henry VIII., when it received the new designation of Whitehall. His character for wisdom, prudence, and integrity was so high, that in 26 Henry III., 1242, though at a very advanced age, he was left by Queen Eleanor, then regent, in the government of the kingdom, when she went to join her husband in France.

He presided over his see nearly forty years, and died at Fulham on May 1, 1255. His remains were removed to his cathedral, where a splendid monument was erected to his memory.

Several branches of his family were ennobled, some of which are extinct, but some still grace the peerage. These will be mentioned under John de Grey, his nephew, who was a justice itinerant in the reign of Henry III.[1]

HARENG, RALPH.

JUST. 1208.

See under the Reign of Henry III.

HEREFORD, ARCHDEACON OF. *See* WILLIAM.

HERIET, RICHARD DE.

JUST. 1199.

See under the Reign of Richard I.

RICHARD DE HERIET was Sheriff of Essex and Hertfordshire in 4 Richard I.[2], and was no doubt at that time in some employment connected with the Exchequer. From 6 Richard I. to 6 John, 1194–1205, he acted as a justicier in the Curia Regis at Westminster, his name frequently appearing on the fines that were levied there[3]; and he was quitted of all assessments while he was in the king's service.[4] In 1 John, Robert Fitz-Torold granted him half the town of Bedefont[5]; and in 3 John he paid 50*l.* for having the custody of his land in Surrey, and fifty-five marks for that in Wilts.[6] He died before April 6, 1208, 9 John, when his land and heir were delivered to the wardship of Geoffrey Fitz-Peter.[7]

[1] Godwin de Præsul. 315. 459. 677.; Hasted's Kent, i. 156.; Le Neve, 96. 295. 307.; Bloomfield's Norwich, i. 478.
[2] Fuller's Worthies.
[3] Fines of Richard I. and John; Dugdale's Chron. Series.
[4] Rot. Pat. 3 John, 2.
[5] Abbrev. Plac. 27.; Madox's Exch. i. 216.
[6] Rot. Cancell. 3 John, 30. 225.
[7] Rot. Claus. i. 109.

HUNTINGDON, ARCHDEACON OF. *See* WILLIAM DE CORNHILL.

HUNTINGFIELD, ROGER DE.

JUST. ITIN. 1206.

A BARON named William de Huntingfield, in the reign of King Stephen, gave the whole of the Isle of Mendham, in Suffolk, to the monks of Castle Acre, in Norfolk; and died in 1155. He was succeeded by Roger de Huntingfield, one of whose sons is the subject of the present notice. He had a grant of lands in Mendham from King John, for which he paid a fine of two hundred marks.

In 8 John he was one of the justiciers before whom fines were levied.[1] In the following year his lands were seized on occasion of the interdict, and were placed by the king in the hands of his brother, the under-mentioned William.[2]

HUNTINGFIELD, WILLIAM DE.

JUST. ITIN. 1208.

WILLIAM DE HUNTINGFIELD was the elder brother of the above-mentioned Roger, and also acted as a justicier before whom fines were levied in 10 and 11 John, 1208–1210. In the fines themselves, which were taken at Cambridge and Lincoln, the justiciers are specially called justices itinerant.[3]

During the greater part of John's reign, he seems to have been a favourite with the king, being appointed constable of Dover Castle in 5 John, giving, however, his son and daughter as hostages for his safe holding thereof[4]; and

[1] Fines of Richard I. and John.
[2] Rot. Claus. i. 110.; Dugdale's Baronage, ii. 7.
[3] Fines of Richard I. and John; Dugdale's Chron. Series.
[4] Rot. Pat. 34.

having a grant of the wardship of the land and heir of Osbert Fitz-Hervey. From 11 to 15 John, he held the sheriffalty of the united counties of Norfolk and Suffolk. But on the barons forming their confederacy against the king, he joined them, and was one of the twenty-five who were appointed to enforce the observance of Magna Charta. He made himself so prominent in the subsequent wars, that he was excommunicated by the pope, and his lands, being seized into the king's hands[1], were not restored to him till October, 1217, 1 Henry III., when he returned to his allegiance.[2] In June, 1219, 3 Henry III., he obtained licence to go to the Holy Land, constituting his brother Thomas his attorney to transact all business in his absence.[3]

His death occurred in or before 9 Henry III., as in that year his son, Roger (by his wife Alice de St. Liz), instituted a suit against his bailiff for an account of rents.[4] Roger's grandson was summoned to parliament by Edward I.; but in 1351 the barony became extinct by the death of his lineal descendant, William de Huntingfield, without issue.[5]

HUSCARL, ROGER.

JUST. 1209.

See under the Reign of Henry III.

HUSSEBURN, THOMAS DE.

JUST. 1199.

See under the Reigns of Henry II. and Richard I.

THOMAS DE HUSSEBURN is almost always mentioned with the addition "Magister," which in the reign of Henry II.

[1] Rot. Claus. 17 John, i. 215. 232. 249. 309.
[2] Ibid. 327. 338.
[3] Ibid. 393.
[4] Ibid. ii. 83.
[5] Dugdale's Baronage, ii. 7.; Nicolas's Synopsis.

began to be adopted by the clergy, and, as some say, by the professors of the civil and canon law, who were generally of that order. The only clerical preferment which he appears to have held, was that of a canon of St. Paul's.[1] But several of the bishopricks and abbeys which were vacant during the reigns of Henry II. and Richard I. were placed in his custody, sometimes with other persons and sometimes alone. Thus, in 30 Henry II., he had the charge of the monastery of Abingdon[2]; and in the next year of the bishoprick and abbey of Chester[3]; and in 1 Richard I. of the bishoprick of Winchester and abbey of Sherburne.[4]

His judicial employment in those reigns, and in that of John, appears by his presence in the Curia Regis as one of the justiciers before whom fines were levied in 33 Henry II., 1187; from the fifth year of Richard I. to the end of the reign, and in the first year of King John[5]; and also by his acting as a justice itinerant, holding pleas and assessing tallages, in 33 Henry II. and 3 Richard I.[6]

INSULA, GODFREY DE.

Just. 1199.

See under the Reign of Richard I.

In Mr. Hunter's list of the justiciers before whom fines were levied, the name of Godfrey de Insula appears from 10 Rich. I. till 6 John, 1198–1205; and again in 10 John, 1208–9; several of which were acknowledged at Westminster. He is also mentioned as a judge in the rolls of the Curia Regis in 13 John.[7] It is curious, however, that in no other of the publications of the Record Commission can I find his name;

[1] Dugdale's Orig. Jurid. 22.
[2] Angl. Sacr. i. 169.
[3] Madox's Exch. i. 310.
[4] Ibid. 811.
[5] Fines of Richard I. and John.
[6] Madox's Exch. i. 544. 634.
[7] Fines of Richard I. and John; Abbreviato Placitorum, 82.

so that I have not been able to trace his connection with the justiciers of the same name about this period.

KENT, EARL OF. *See* HUBERT DE BURGH.

KYME, SIMON DE.

JUST. ITIN. 1207.

See under the Reign of Richard I.

SIMON DE KYME held a lordship of that name in Kesteven, Lincolnshire, which he inherited from his father, Philip de Kyme. In 3 Richard I., 1191, he acted as a justice itinerant, his pleas appearing on the roll of that year; and in 8 Richard I. he was one of those who set the tallage of Lincolnshire[1], of which county he was sheriff in the seventh and two following years of that reign.[2] He seems to have been more fond of legal than of military contests, inasmuch as he paid one hundred marks to be exempted from attending King Richard on his Norman expedition, while there are several entries on the rolls of his fining for different processes, and for claiming lands to which he had no right.[3]

It is evident, however, that he was again employed as a justicier in the reign of John, as in May, 1207, 8 John, he is so styled with others who were sent to Lincoln to clear the gaol there, and to hear a certain appeal.[4]

By his wife Roese[5], he had a son, also named Simon, who succeeded him about 16 John.[6] This son, in consequence of

[1] Madox's Exch. i. 544. 704.
[2] Fuller's Worthies.
[3] Madox's Exch. i. 245. 503. 516. 519. 794.
[4] Rot. Claus. John, i. 83.
[5] Rot. de Finibus, 6 John, 255.
[6] Ibid. 16 John, 539. This is an entry by which "Simon de Kyme has respite of 700 marks which Simon his Father owed to the Jews:" thus showing that Simon the Father was then dead. I have therefore varied the remainder

his siding with the rebellious barons, was in the following year excommunicated by the pope, and his lands were given by the king to Geoffrey de Nevill, the chamberlain.[1] They were, however, restored after his death, which occurred in 4 Henry III., 1219–1220, to Philip[2], who I believe to have been his brother. In the reigns of the three Edwards, his successors were summoned to parliament; but the eighth baron dying in 1338 without issue, the male branch became extinct; and the barony is in abeyance among the representatives of Lucia, the sister of the last lord, who married Gilbert, Earl of Angus.[3]

LACY, ROGER DE, Constable of Chester.

Just. Itin. 1208.

The family of de Lacy, or de Lascy, began in England with Ilbert de Lacy, who accompanied the Conqueror on his invasion of this country, and received as his reward the town and castle of Pontefract, in Yorkshire, with other lands of vast extent. Ilbert's grandson, Henry, left by his wife Albreda, a son Robert, on whose death without issue in 1193 the male descent terminated. Roger de Lacy, the subject of this notice, was descended from Eustace Fitz-John (mentioned as a justice itinerant in the reign of Henry I.[4]), whose son, Richard Fitz-Eustace, constable of Chester, married Robert de Lacy's half-sister (the daughter of the

of Dugdale's story, and have made Simon the Son join the barons, which is somewhat more probable than the father, who would have been rather too old to be a rebel. Dugdale has left out this son altogether, having no doubt been misled by the identity of name. I conceive also that Philip, who succeeded in 4 Henry III., was young Simon's brother, and not his son.

[1] Rot. Claus. 17 John, i. 233. 247.

[2] Excerpt. e Rot. Fin. 4 Henry III., i. 44.

[3] Dugdale's Baronage, i. 620.; Roger de Wendover, iii. 297. 355.

[4] See vol. i. p. 115.

above Albreda, widow of Henry de Lacy; by her second husband Robert de Lizures), and had by her a son, John, who assumed the name and arms of Lacy, on becoming possessed of the property of the family. Roger was the son of this John, by Alice de Vere, the sister of William de Mandeville; and on his father's death in 1179, inherited the constableship of Chester, which had devolved on his grandfather, Richard Fitz-Eustace, as the heir of his mother, Agnes, the daughter and heir of William Fitz-Nigel, Baron of Halton.

He accompanied King Richard to the Holy Land, and was present at the sieges of Acre and Damietta. In King John's confidence also he held a high place, and was sent by him with other eminent men to conduct the King of Scotland to Lincoln, to do homage and fealty to the English sovereign. A lively account is given by Roger de Wendover of his bravery in defending for nearly a year the Castle of Roche-Andeli, in Normandy, when besieged by Philip, King of France, and of his ultimate capture, in 1204, when famine compelled a surrender. King John advanced for him his ransom of one thousand marks, and afterwards exonerated him from its repayment[1]; conferring upon him, on his return to England, the sheriffalty of the counties of York and Cumberland, with the custody of their castles, which he continued to enjoy till 11 John.[2] His constant attendance on the king is shown by various records[3], and from two entries on the Rotulus de Præstito, of losses of forty shillings and twenty-five shillings, "de ludo suo ad tabulas," may be judged the familiarity which existed between him and the monarch, who, it may be observed, devoted part of Sunday to this amusement.[4]

[1] Rot. Claus. 6 John, i. 4. [2] Rot. Pat. 6 John, 48.; Fuller's Worthies.
[3] Rot. Chart. John, passim; Rot. Misæ. John, 139. 141. 149. 164.; Rot. de Præstito, 229.
[4] Ibid. 238.

Among other valorous acts of his life, it is related of him that hearing, during Chester Fair, that Ranulph, Earl of Chester, was besieged by the Welsh in the castle of Rothellan, he proceeded with a body of loose and unarmed people collected there, and delivered the earl from his danger. For this timely assistance the earl granted him "Magisterium omnium leccatorum et meretricum totius Cestreshire," which he afterwards transferred to his steward, Hugh de Dutton and his heirs.

That he acted as a justicier appears from fines which were levied before him in the tenth year of this reign.[1]

He married Maud de Clere, sister to the treasurer of York Cathedral; and, after several rich donations to the abbeys of Stanlaw, in Cheshire, and of Fountains, in Yorkshire, he died in January, 1212, 13 John, and was buried in the former abbey. Dugdale gives his epitaph, which speaks of his prowess in glowing language. He was succeeded by his son John, who paid no less a sum than seven thousand marks for the livery of his lands and for a quittance from all the debts his father might owe to the king.[2] This John will be noticed in the next reign as a justice itinerant.[3]

LICHFIELD AND COVENTRY, Bishop of. *See* William de Cornhill.

LINCOLN, Bishop of. *See* Hugh de Wells.

LINCOLN, Precentor of. *See* Peter de Rupibus.

LONDON, Bishop of. *See* Eustace de Fauconberg.

LONDON, Mayor of. *See* Henry Fitz-Ailwyn.

[1] Fines of Richard I. and John.

[2] Rot. de Finibus, 15 John, 483. 494.

[3] Dugdale's Baronage, i. 100.; Roger de Wendover, iii. 173. 180. 236.

LONDON, HENRY OF, ARCHDEACON OF STAFFORD; afterwards ARCHBISHOP OF DUBLIN.

JUST. 1199.

THE Archdeacon of Stafford is invariably described at the time by his Christian name, Henry, only; but he is called by Le Neve Henry of London.[1] He was probably the same person who, in 16 Henry II., is mentioned under the name of Magister Henricus de Lundonia, as having been sent to Chichester by Richard de Luci, the chief justiciary, and the Archdeacon of Poictiers, to collect the rents of that bishoprick, then vacant.[2] The precise year of his being raised to the archdeaconry does not appear, but it is certain he held it in 1 John, 1199–1200, as he is then stated to have paid under that title 50*l.* 6*s.* 8*d.*, which he owed for having the good will of King Richard, into the "Scaccarium Redemptionis."[3] In the same year also he is so called as one of the justices itinerant who fixed the tallage in Berkshire[4], and as a justicier before whom fines were levied.[5]

In 3 John he went on an embassy to the King of Navarre[6]; and in 5 John on another to the King of Connaught with Meiller Fitz-Henry, Justiciary of Ireland.[7]

After his return to England he resumed his judicial duties; his name appearing frequently from 7 to 10 John on the fines that were levied at Westminster, and on several other records proving him to have been one of the regular justiciers.[8]

During this time he was gratified with various ecclesias-

[1] Le Neve, 133. This author is evidently wrong in stating that Henry's predecessor, Peter de Rupibus, was archdeacon in 1202.

[2] Madox's Exch. i. 307.

[3] Ibid. 190.

[4] Ibid. 722.

[5] Fines of Richard I. and John.

[6] Rot. Pat. John, 3.

[7] Rot. de Liberate, John, 83.

[8] Fines of Richard I. and John; Rot. de Finibus, 306. 398. 401.

tical preferments; the churches of Aaegehal, diocese of Norwich; of Cheshunt, and of Werfield; the deaneries of Shrewsbury and Stafford; prebends in Lichfield, Exeter, and Lincoln Cathedrals; and in March, 1213, 14 John, he was raised to the archbishoprick of Dublin, as the successor of John Cumin.[1]

He assisted at the coronation of Henry III. under whom he was appointed Justiciary of Ireland, succeeding Geoffrey de Marisco, in October, 1221, and administering the affairs of that kingdom till the middle of 1224, 8 Henry III., when he surrendered the office to William Mareschall, Earl of Pembroke.[2] He alone, of all the friends of Hubert de Burgh, ventured to speak in his behalf when he was persecuted in 1232, and by his solicitation the king was induced to extend the time he had previously fixed for receiving Hubert's answer to the charges brought against him.[3]

MALDUIT, ROBERT.

Just. 1208.

Robert Malduit, or Mauduit, who sat as a justicier in the Curia Regis in 10 John, 1208–9, when fines were acknowledged there[4], was the son of William Malduit, mentioned under the reign of Henry II.[5] During the last nine or ten years of that reign Robert held the sheriffalty of Wiltshire; and on his father's death, about 7 Richard I., he succeeded to the office of chamberlain of the Exchequer, which he exercised during the whole of the reign of John.[6] In 1 John, for a fine of 100*l.*, he obtained the custody

[1] Rot. Pat. 11. 48. 70. 75. 78. 97.; Rot. Chart. 200.; Leland's Ireland, i. 195.

[2] Rot. Claus. i. 470—591.

[3] Rapin, iii. 41.

[4] Fines of Richard I. and John.

[5] See vol. i. p. 271.

[6] Rot. de Liberate, passim.

of Rockingham Castle[1]; and from 2 to 5 John he was Sheriff of Rutland.

He accompanied the king in his Irish expedition in 1210–11[2]; but afterwards joined the standard of the discontented barons in the contest for their liberties. The close roll of 17 John records his name among those who took up arms against the king, his son William acting a still more prominent part. The consequence of this revolt was the loss of the family estates, which were seized into the king's hands, and the excommunication and capture of William. Soon after the accession of King Henry III., both of them returned to their allegiance, their submission being accompanied by a restoration of their property.[3]

Robert died about June, 1222, 6 Henry III., when William his son paid the usual relief of 100*l.* on having possession of his inheritance.[4] His widow, Isabella, who was one of the daughters of Thurstan Basset, died in December, 1225, Thomas de Venuz having, on the 24th of the previous October, paid a fine for permission to marry her[5], but it does not appear whether the union was effected before her death.

William, the son, married Alice, the daughter of Waleran, Earl of Warwick; and their son, also William, succeeded to that earldom, which continued in the family till the year 1589, when it became extinct for want of male heirs. One of the earls, Henry de Beauchamp, was created Duke of Warwick in 1444, but the title died with him.[6]

[1] Rot. de Oblatis, John, 9.

[2] Rot. de Præstito, 186., &c.

[3] Rot. Claus. i. 237. 270. 325, 326. 328. 346.

[4] Excerpt. e Rot. Fin. i. 87. 98.

[5] Ibid. 134, 135.

[6] Dugdale's Baronage, i. 398.; Nicolas's Synopsis; Roger de Wendover, iii. 297. 349. 356., iv. 24.

MALEBYSSE, RICHARD.

Just. Itin. 1201.

The ancestor of this family, Hugh de Malebysse, came over from Normandy, and was settled in 3 Stephen at Scawton, in Yorkshire. By his marriage with Emma, the daughter and heir of Henry de Percy, he obtained possession of large estates, among which was the lordship of Acaster, near York, the principal seat. Their eldest son was this Richard, who was called Richard Malebysse of Acaster. He was in possession of his land in 22 Henry II.[1], and was one of the foresters of the county of York.

In the beginning of the reign of Richard I., he was in some manner implicated in the horrible massacre of the Jews at York, for which his lands were seized into the king's hands; and in 4 Richard I. he paid twenty marks to recover them till the king's return.[2] He was afterwards implicated in some other disturbances, which drew upon him and his brother Hugh, who was also engaged in them, the excommunication of the pope; and in 6 Richard I. he paid a fine of three hundred marks to regain the king's favour, and for having the full restoration of his lands, wards, and forests.[3]

His latter offence was evidently too close a connection with Earl John; for though, when that prince came to the throne, he had to pay another fine for some of his lands, he seems to have at once been admitted into the royal confidence. In 2 John he had the custody of the castle of Queldric; in the next year he was employed as a justice itinerant to fix the tallage in Yorkshire; and in 4 John he was present at Westminster when fines were acknowledged there.[4] Besides these judicial duties, he was sent as one of

[1] Madox's Exch. i. 316.
[2] Ibid. 493.
[3] Ibid. 473.
[4] Ibid. 722.; Dugdale's Chron. Series; Fines of Richard I. and John.

the embassy to accompany William, King of Scotland, to England; and in 5 John was engaged in enforcing the payment of the aids required by the king. He was keeper of the forests of Galtres, Derwent, and Wernerdale, and had permission to stub and cultivate eighty acres of land of the king's forest, between Owse and Derwent, at Queldric.[1] He incurred some disgrace by his negligence in keeping the forest of Galtres; and before he could recover the land and castles, which the king thereupon summarily seized, he was compelled, in 6 John, to pay a fine of five pounds into the royal treasury.

Although he seems to have been a little turbulent in character, he was apparently of a generous nature, and in the disposition of his property, which was very extensive, to have acted with great liberality. He made grants of lands to various abbeys, and founded that of Newbo, near Grantham, in Lincolnshire, for monks of the Præmonstratensian order, endowing it with a third part of the church of Kniveton, in Nottinghamshire, and with the church of Acaster.[2]

He died in 11 John, 1209, and was succeeded by his son John. He left also a daughter, Emma, who, having survived her first husband, Robert de Meisnil, was permitted to take Robert de Stutevil as her second, on her father's paying a fine of three hundred marks, with a condition that he might have her dower given her at the church-gate on her marriage.[3] One of his descendants, Sir Hercules Malebysse, in compliance with stipulations entered into on his marriage with Lady Beckwith Bruce, a daughter of Sir William Bruce of Pickering, assumed the name of Beckwith, which the family has since preserved. Within the last century, the name has been distinguished in our military annals; and the present

[1] Rot. de Oblatis, 1 John, 41. 55.; Rot. Chart. 42.
[2] Dugdale's Monast. vi. 887.
[3] Madox's Exch. i. 465.; Rot. de Finibus, 9 John, 384.

representative of the family is that estimable and gallant officer, Major-General John Charles Beckwith, who has obligingly favoured me with the inspection of a curious genealogical manuscript, from which a great part of the above account is taken.

MARISCO, RICHARD DE, Archdeacon of Richmond and Northumberland; afterwards Bishop of Durham.

Just. 1212. ? Keeper or Vice-Chancellor, 1213. Chancellor, 1214.

See under the Reign of Henry III.

MARMION, ROBERT.

Just. Itin. 1204.

See under the Reigns of Henry II. and Richard I.

Robert Marmion was son and grandson to two barons bearing the same name. The grandfather was a Norman, and received from William the Conqueror the castle of Tamworth, in Warwickshire. The father succeeded to this and to other property, among which were the strong castle of Fontney in Normandy, and the manor of Scrivelsby in Lincolnshire, which was held by grand serjeanty to perform the office of champion at the king's coronation. This second Robert was killed at Coventry, by falling into one of the ditches he had made to entrap the Earl of Chester's forces in 8 Stephen, 1143; when this, the third Robert, his son by his wife Milicent, must have been quite an infant.

The first mention that occurs of him is his being charged on the great roll of 14 Henry II., 1169, with 7*l.* 12*s.* 8*d.* for twelve knights' fees de veteri feoffamento, and 70*s.* for three knights' fees de novo feoffamento, for the aid on marrying the king's daughter.[1] It is not till towards the

[1] Madox's Exch i. 574.

latter end of Henry's reign that he is mentioned in connection with the court. He was then entrusted with the sheriffalty of Worcestershire, an office which he continued to hold in the first year of Richard's reign.[1]

His name appears as one of the justiciers present on the passing of a fine in 30 Henry II., 1184; and as a justice itinerant in the 33d year. On several occasions during the reign of Richard, he acted in the latter character; he and his companions assessing the tallage of Staffordshire in the 2d year, and in the 5th, fining the burgesses of Bristol 100*l.* for not coming to meet the justices as they ought to have done.[2] And again, in 6 John, 1204–5, he was one of the justiciers before whom fines were levied in the country.[3] It was probably on account of this engagement in judicial duties that his scutage in the reigns of Richard I. and John was remitted, not only in Warwickshire and Leicestershire, but also in the counties of Lincoln and Oxford.[4]

He accompanied King Richard into Normandy in the sixth year of his reign, and joined in the expedition into Poictou in 15 John. To the Knights Templars he was a benefactor, by giving them a mill at Barston, in Warwickshire.

His death occurred before May 15, 1218, 2 Henry III., according to the fine roll of that date.[5] By his first wife, Matilda, the daughter of William de Beauchamp, he had a son named Robert, and two or more daughters. By his second wife, Philippa, he had two sons, the elder of whom was also named Robert, and the other William. The elder, Robert, three years after, had livery of Tamworth Castle, which, with his other possessions, descended to Philip, his son, a faithful adherent of Henry III. in all his troubles,

[1] Fuller's Worthies. [2] Madox's Exch. i. 503. 698.
[3] Fines of Richard I. and John.
[4] Madox's Exch. i. 591.; Rot. de Cancell. 3 John, 14. 193. 280.
[5] Excerpt. e Rot. Fin. i. 9.

who died in 20 Edward I., 1292, leaving no male issue. To Joane, one of his daughters, the manor of Scrivelsby fell, and her daughter and heir marrying Sir John Dymoke, the lineal representative of that family still preserves the right, as possessor of the manor, of acting as champion at the royal coronations. The younger Robert had the lordships of Witeringham and Coningsby, in Lincolnshire; and his grandson was summoned to parliament in 7 Edward I. The fifth baron of that family died without male issue. Of William, Robert's third son, Sir Harris Nicolas states that he was summoned to parliament by the rebellious barons in 49 Henry III.; but from a charter of his father's it is evident he was in holy orders.[1].

MORIN, RALPH.

JUST. ITIN. 1200.

RALPH MORIN was an officer of the Exchequer, and seems to have been a careless keeper of the Treasure, as Adam de Sanford accounts for him on the roll of 1 Richard I. for five marks of the money from Winchester which were deposited in the castle at Northampton, and lost.[2] In 2 & 3 John he acted as a justicier in the country, when fines were levied before the court.[3] In the first of these years he was appointed Sheriff of Devonshire[4]; but in 4 John he was ordered to deliver up the castle of Exeter to William Briwer[5], for whom, in 7 John, he accounts for that county.[6] Fuller says that he held the same office for Northamptonshire in 30 Henry II.[7]

[1] Dugdale's Baronage, i. 376.; Nicolas's Synopsis; Rot. Scacc. Norm. Observations, II., xcviii—civ.

[2] Pipe Roll, 1 Richard I., 34. [3] Fines of Richard I. and John.

[4] Rot. Chart. 2 John, 100.; Rot. Cancell. 3 John, 15., &c.

[5] Rot. Pat. 4 John, 12. [6] Madox's Exch. i. 276.

[7] Fuller's Worthies, Devon and Northampton.

MUCEGROS, RICHARD DE.

JUST. 1204.

THE relationship between Richard de Mucegros and Miles de Mucegros, mentioned in the reign of Henry II., does not appear. Richard's father, of the same name, married Hilaria, the daughter of William Folet, and in 1 John the king confirmed to the son three hides of land in Bekinton, Akeberg, and Derhurst, with a messuage and one virgate of land in Wichfield, and the woods of Westgrave and Strode in Gloucestershire, which he had of the gift of his father.[1] Of that county the father had been sheriff in 2 & 3 Richard I., and the son was afterwards invested with the same office in 9 John, paying 250*l.* for holding it at the old rent, with 100*l.* of increase for every year.[2] In that year he was allowed a payment of ten marks for the queen's expenses during her stay at Gloucester.[3] In the previous year, the castle of Gloucester, with the prisoners and hostages there, was committed to his custody; and soon afterwards the castle of Chichester also.[4] The Rotulus de Finibus of 7 John, p. 244, records a fine of twenty marks and a palfrey which he paid to redeem his brother Ralph de Mucegros, who had been arrested for some breach of the forest laws.

His employment as a justicier for six years commencing 6 John, 1204, appears from various fines acknowledged in most of those years both at Westminster and on the circuit.[5] During the intestine troubles at the end of the reign, he adhered to the king, and was rewarded by a mandate to William the Earl Marshall to provide him with some escheats from the lands of "the king's enemies," and by a grant of the estate of John Fitz-Richard.[6]

[1] Rot. Chart. 1 John, 51.
[2] Rot. Claus. 9 John, i. 96.
[3] Rot. de Finibus, 9 John, 385.
[4] Rot. Pat. John, 71. 74. 79.
[5] Fines of Richard I. and John; Dugdale's Chron. Series.
[6] Rot. Claus. 17 John, i. 237. 243.

He was still alive in 5 Henry III., when he is one of the pledges for a fine of 100*l.* agreed to be paid by his son Robert, on his marriage with Helewise, the widow of Hugh Poinz. Two other Richards are also among the pledges; viz., Richard de Mucegros, the elder son of Robert, and Richard de Mucegros junior, probably another son of this justicier.[1]

NEVILLE, RALPH DE, afterwards BISHOP OF CHICHESTER.

? KEEPER, or VICE-CHANCELLOR, 1213.

See under the Reign of Henry III.

NORFOLK, ARCHDEACON OF. *See* GEOFFREY DE BOCLAND.

NORFOLK, EARL OF. *See* ROGER BIGOT.

NORTHAMPTON, HENRY DE.

JUST. ITIN. 1202.

See under the Reign of Richard I.

HENRY DE NORTHAMPTON was the son of Peter de Northampton, and is sometimes called Henry Fitz-Peter. He held the church of St. Peter at Northampton[2], and was a canon of St. Paul's[3]; preferments which he had probably received as an officer in the Exchequer.

He acted as a justice itinerant in the counties of Lincoln, Cambridge, and Huntingdon in 1 Richard I.[4], after which his name does not appear in a judicial character till 4 John, 1202, in which year, and 10 John, fines were levied before him as a justicier both at Westminster and in the country.[5]

In 6, 7, & 8 John, he was joined with Robert de la Saucey

[1] Rot. Claus. 5 Henry III., i. 470.; Excerpt. e Rot. Fin. i. 74.
[2] Rot. Claus. i. 520. [3] Dugdale's Orig. 21.
[4] Pipe Roll, 1 Richard, 69. 194.
[5] Fines of Richard I. and John; Dugdale's Chron. Series.

in the sheriffalty of Northamptonshire[1]: but in the troubles at the end of the reign, he either sided with the barons, or was suspected of doing so; for in November, 1215, his lands and houses in Northampton were given away by the king[2], and in the following March he had letters of protection.[3]

He founded a hospital within the precincts of the cathedral church of St. Paul's.[4]

NORTHUMBERLAND, ARCHDEACON OF. *See* RICHARD DE MARISCO.

NORWICH, BISHOP OF. *See* JOHN DE GREY.

PATESHULL, SIMON DE.

JUST. 1199.

See under the Reign of Richard I.

OF Simon de Pateshull no mention is made until he appears on the judicial bench in 5 Richard I., 1193; from which time till the end of John's reign his name is frequently recorded on fines[5], and as performing the various duties of a justicier. His position during the principal part of the latter reign was evidently very high; and from the fact that many of the mandates in causes before the court, from 7 John, are addressed "Rex Sim. de Pateshull et sociis suis, justiciis suis,"[6] an inference may perhaps be drawn that he was at the head of that division of the Curia Regis in which "common pleas" were tried. In 9 John, he and James de Poterna appear to have been fined in one hundred marks each, for granting a term in a cause before them without the king's licence; but they were afterwards excused.[7]

[1] Rot. Pat. 54.; Rot. Claus. i. 34. 77.
[2] Ibid. 238.
[3] Rot. Pat. 169.
[4] Dugdale's Monast. vi. 767.
[5] Fines of Richard I. and John.
[6] Rot. Claus. i. 61., &c.
[7] Ibid. 113, 114.

During part of the same period, he acted as one of the justices of the Jews, and as such is inserted in Madox's list of the barons of the Exchequer in 10 Richard I.[1] Madox also notices him in that character in 15 John[2], giving in a note the copy of a memorandum of 25 Henry III. which refers to a former decision of the justices of the Jews "anno regni regis XV.," with the name of no king. Subsequently, however, in his list of barons of the Exchequer, he has introduced Simon de Pateshull as a justice of the Jews in 15 Henry III.[3], referring to the same memorandum, though the claim that was then determined, being one made by Geoffrey Fitz-Peter, proves plainly that it was in 15 John. Simon certainly died some years before 15 Henry III.

Numerous entries show his continued attendance on King John, from whom he received many marks of favour. In the first year of that reign he had a grant of two houses in Northampton, which had belonged to Benedict the Jew; in 5 John, sixty acres in the wood called Letty were granted; in 10 John, the manor of Rethoresthorp, in Northamptonshire, was confirmed to him[4]; and he had also a royal present of two dolia of good Angevin wine.[5] He likewise held the sheriffalties of Northampton from 6 Richard I. to 5 John; and of Essex and Hertford in 6 Richard I.[6]

In the wars between King John and the barons, he was more than suspected of a defection from his sovereign: but in May, 1215, 16 John, the king granted him a safe conduct, with an intimation expressed in it, that "if it is so as the Abbot of Woburn tells us on your part, we will relax all the anger and indignation we had against you."[7] He succeeded

[1] Madox's Exch. i. 235., ii. 315.
[2] Ibid. ii. 317.
[3] Ibid. i. 70.
[4] Rot. Pat. 94.
[5] Ibid. i. 235.
[6] Rot. Chart. 52. 131. 184.
[7] Fuller's Worthies.

in clearing himself with the king, and his lands, which had been seized, were restored to him in December.[1]

The time of his death is uncertain: but as the rolls give only one other instance, in the following March, of his performance of judicial duties[2], and as his son Hugh's subsequent connection with the barons' party is shown by the restoration of his lands to him in 2 Henry III., it is more than probable that Simon died before that date.

Dugdale, however, in his Chronica Series, inserts him as chief justiciary in 17 Henry III., from an apparent misapprehension of a parenthetical sentence in a passage in Matthew Paris, speaking of Hugh de Pateshull, who, he says, was son of Simon the justiciary, "qui *quandoque* habenas moderabatur totius regni." Whether such an *obiter dictum* is a sufficient authority for describing him at all as chief justiciary or not, it clearly does not pretend to make him so at that time or in any part of that reign.

His son Hugh will be mentioned in the next reign.

PERCY, ROBERT DE.

JUST. ITIN. 1208.

BOTH Sir William Dugdale and Mr. Hunter notice Robert de Percy as one of the justiciers before whom fines were taken in 10 John.[3] They were acknowledged in the country; and he is mentioned in that character in no previous or subsequent year.

He was the third son of Josceline of Lovaine (son of Godfrey, Duke of Brabant, and brother of Adelicia, the second wife of Henry I.,) who assumed the name of Percy for himself and his descendants on his marriage with Agnes,

[1] Rot. Claus. i. 200. 244. [2] Ibid. 270.
[3] Dugdale's Chron. Series; Fines of Richard I. and John.

one of the daughters and co-heirs of Lord William de Percy, the third baron, on whose death the male branch became extinct.

Robert was lord of Sutton-upon-Darwent; and in 15 John, for a fine of four good palfreys, obtained a grant of warren on his lands there and in Bolton.[1] He accompanied the king to Ireland in 1210, and in the following year had various allowances for the expenses of the Spanish ambassadors and their knights, and for conducting them to Dover.[2] In 14 John, the sheriffalty of Yorkshire was committed to him[3]: but he subsequently appears to have joined with the barons, as his lands were given to Brian de Insula: but they were restored on his submission soon after the accession of Henry III.[4] In the tenth year of that reign he is mentioned as one of the justices assigned to hold a special assize of last presentation to a church in Yorkshire.[5] He gave the advowson of his church at Sutton to the monks of Whitby, an abbey founded by his ancestor, the first baron.

Dugdale intimates that he died without issue: but Collins says that he assumed the name of Sutton, which was borne by his posterity.[6]

PERCY, WILLIAM DE.

Just. Itin. 1206.

William de Percy is also named in Mr. Hunter's list of justiciers before whom fines were acknowledged. The date attached to his name is 8 John, 1206[7]; but none of the fines in which he is is so introduced have yet been published. He

[1] Rot. de Finibus, 15 John, 481.
[2] Rot. de Præstito, 12 John, 180—236.
[3] Rot. Pat. 14 John, 97. [4] Rot. Claus. i. 245. 324. 373.
[5] Ibid. ii. 138.
[6] Dugdale's Baronage, i. 271.; Brydges' Collins' Peerage, ii. 232.
[7] Pref. to Fines to Richard I. and John.

was one of the "intendentes" under William de Stuteville, on his appointment as sheriff of Yorkshire in 2 John, Walter de Bovington, already noticed, being the other.[1]

I conceive him to have been nephew of the above-mentioned Robert de Percy, and to have been the son of Henry de Percy, Robert's elder brother. Their mother, Agnes de Percy, wife of Josceline de Lovaine, who assumed her name, not only outlived her husband for many years, but also her eldest son Henry, who, having married Isabel, daughter of Adam de Brus, lord of Skelton, left at his death two infant sons, this William, and another Henry, ancestor of the Percys of Hesset, in Sussex. On the death of the Lady Agnes, her surviving son, Richard de Percy, to the exclusion of the infant heir, took possession not only of the property of his aunt Maud, Countess of Warwick, but also of the greatest part of that of his mother. William, however, on attaining his majority, sought restitution, and after a long litigation, succeeded in recovering the inheritance[2], on a compromise that Richard should enjoy one moiety until his death, which did not happen till 1244, 28 Henry III.

William de Percy was employed by King John, a mandate being recorded for a secure ship for him to pass over in the king's service into Poictou with horses and arms.[3] Under Henry III. he received various grants of land, and obtained a weekly market for his manor of Spofforth, in Yorkshire. In 26 Henry III. he paid one hundred marks to be exempted from attendance on the king in Gascony.

He died in 1245, 29 Henry III., having enjoyed the whole of the barony only one year after the decease of his uncle Richard; and was buried in the abbey of Sallay, to which he had given his manor of Gisburne. He was twice

[1] Rot. de Oblatis, 2 John, 109.; Rot. Cancell. 3 John, 299. 359.
[2] Rot. Claus. 17 John, i. 250.; 1 Henry III., 308.
[3] Rot. de Finibus, 16 John, 547.

married. His first wife was Joan, one of the five daughters and coheirs of William Briwer (hereafter noticed under the reign of Henry III.); on the death of whose son without issue, in 17 Henry III., he fined in five hundred marks for his own daughters' portions of the property.[1] His second wife was Ellen, daughter of Ingelram de Balliol.

By Joan he had five daughters; and by Ellen seven sons and one daughter. The thirteenth baron was in 1377 created Earl of Northumberland, a title which still exists, notwithstanding various forfeitures, in the present Duke of Northumberland, who is the lineal descendant, sometimes through female heirs, of this William de Percy. The dukedom was added by George III. on October 18, 1766.[2]

PONTE, RICHARD DE.

Just. Itin. 1208.

Mr. Hunter inserts the name of Richard de Ponte among the numerous justiciers before whom fines were taken in 10 John[3]; but none of the fines hitherto published appear to have been acknowledged before him; nor do any of the contemporary rolls notice such a person.

PONTE AUDOMARE, HENRY DE.

Just. 1207.

Henry de Ponte Audomare was a Norman. In 1295 he was custos of the escheats of the bailiwick of the Evrecin; and in 1298 was bailiff of Caux.[4] He had a grant in 1 John

[1] Excerpt. e Rot. Fin. 17 Henry III., i. 243.

[2] Dugdale's Baronage, i. 271.; Brydges' Collins' Peerage, ii. 233.; Nicolas's Synopsis of the Peerage.

[3] Pref. to Fines of Richard I. and John; Abrev. Plac. 83.

[4] Rot. Scacc. Norm. Observations, I. clxix., II. cxxxiii.

of the "blaeriam" of Caen at ten bezants per annum[1]; and three years afterwards was sent to the ports of Normandy on an inquisition as to the ships which sailed with corn without licence.[2] He held one knight's fee in Perinton, of the honor of Gloucester, from the scutage of which he was excused in 7 John; and had a grant in 16 John of sixty shillings, the customs of the salt upon his land there.[3] The wardship of the heir of Milo Niernuit also was granted to him for a fine of 100*l.*; but forty-six marks of its amount was remitted in 15 John on condition that he should supply a knight to serve the king in Poictou, or where he pleased, for one year.[4]

His regular employment as a justicier for eight years is evidenced by his name appearing on fines acknowledged both at Westminster and in the country from 9 to 16 John inclusive.[5] In the latter of those years, 1214, he and John de Turri were sent with some communication from the king to the nobles who were summoned to meet at Marlborough.[6] It would seem, however, that he soon afterwards got into disgrace, as his property fell into the king's hands; which is proved by an entry on the close roll of 2 Henry III., 1218, whereby it is ordered to be restored to him.[7]

That he was entirely reinstated in the royal favour appears by his being entrusted in the same year with the custody of the lands of William, Earl of Devon, and of Lucas Fitz-John: and it is evident that he continued in the king's employ, by a record in the next year of certain wool being seized in Northampton market by him and Ralph de Norwich[8], subsequently one of the justiciers.

No notice relative to him occurs on the rolls at a later date

[1] Rot. Chart. 35.
[2] Rot. Claus. i. 49. 206.
[3] Fines of Richard I. and John.
[4] Rot. Claus. i. 339.
[5] Rot. Pat. 25.
[6] Rot. de Finibus, 484. 521.
[7] Rot. Pat. 138.
[8] Ibid. 343. 348. 352. 383. 602.

than October 5, 1221, 5 Henry III., when the restoration to the men of Southampton of the customs of salt he had held on his lands at Perinton, seems to intimate that he was then dead.[1]

PORT, ADAM DE.

Justr. Itin. 1208.

Some account of Henry de Port, the grandfather of this Adam, has already been given in the reign of Henry I.[2] John de Port, his father, died between 14 and 18 Henry II.; and in the latter year, 1172, Adam de Port, having become implicated in the treasonable machinations carried on against the king by his eldest son and Queen Eleanor, fled out of the realm to avoid a trial, and was thereupon outlawed.[3] In 26 Henry II., 1180, however, he had made his peace for a fine of one thousand marks; and his lands, with those which he held in right of his wife in Normandy, were restored to him.[4] In 6 Richard I. he accompanied the king into Normandy.

Dugdale relates that he was afterwards accused of the death of Henry II., and was adjudged to forfeit all his lands about 8 John. For this story he quotes a MS. in Bibl. Cotton; and the rolls certainly contain evidence that in the early part of the reign of King John, an Adam de Port was a fugitive. In Rot. Cancell. 3 John, p. 233, Richard Fitz-William accounts for three marks for one knight's fee "Ade de Port fugitivi;" and the same entry occurs in Rot. de Oblatis of the same year, p. 145. But as both these entries have reference only to the county of Wilts, and there is no allusion made to the fact in Hampshire, where his largest possessions were situate, I am inclined to think that the

[1] Rot. Claus. 472.
[2] See vol. i. p. 129.
[3] Lord Lyttleton's Henry II., ii. 104.
[4] Madox's Exch. i. 473.

Adam de Port who thus escaped from justice was a different individual; the more especially as each of the two cited rolls contain entries relative to him in Hants, in which there are not only no hints of his flight, but among them is a record of a division of lands between him and the Abbot of Abingdon, for which he fined ten marks and a palfrey[1]; a transaction sufficiently contradictory to the supposition that he was then an outlaw. Mr. Stapleton ingeniously accounts for these entries by saying, that on his contumacy in 1172, his barony in the county of Hereford was estreated, and that it ever after continued to be described in the records of Richard and John's reigns as *feodum Adæ de Port fugitivi.* But the fine in 26 Henry II., and the subsequent facts, render this explanation somewhat improbable. In the Norman roll of 1203, a vessel was hired for him to bring the king's prisoners to England on two occasions; once in conjunction with his son, and once with John Fitz-Hugh.[2]

In 9 John he had the custody of the priory of Shireburn[3], which his grandfather had founded, and to which he was a benefactor; and in 10 John he was one of the justiciers before whom fines were acknowledged at Carlisle[4]; but he is not otherwise mentioned in a judicial character.

He married three wives. His charter to the priory of Shireburn is witnessed by "Sibilla comitessa, uxore mea;"[5] who was the widow of Milo, Earl of Hereford. By her he had no children. Dugdale, in his Baronage, names only one wife, viz. Mabil, the daughter of Reginald de Aurevalle, whose wife, Muriel, was the daughter of Roger de St. John, to whom Mabil ultimately became heir; and she was the mother of his children. His third wife was the sister of William de Braose.[6]

[1] Rot. de Oblatis, 3 John, 183.
[2] Rot Scacc. Norm., Observations, I. clxi., II. cxxvi.
[3] Rot. Claus. i. 108.
[4] Fines of Richard I. and John.
[5] Dugdale's Monast. vi. 1014.
[6] Rot. Scacc. Norm.

He died about 15 John, in which year his son William, who had assumed the name of St. John, paid five hundred marks for having livery of his father's lands in Hants and Berkshire.[1] The descent of the Marquess of Winchester from this stock has been noticed under Henry de Port.[2]

POTERNA, JAMES DE.

JUST. 1199.

See under the Reigns of Richard I. and Henry III.

POYNTON, ALEXANDER DE.

JUST. ITIN. 1202.

ALEXANDER DE POYNTON is named in 4 and 10 John as being present at Westminster when fines were levied there before him; and he acted in the country also in those years[3]; but his name does not again appear judicially.

In 1 John he had a charter confirming a large grant of property in Lincolnshire, which had been made to him by Simon de Bret. This grant included the town of Wrengel, in Hoyland, for which he obtained a market in 7 John.[4] In 6 John he and P. de Leon were appointed custodes of the honor of Richmond[5]; and in 14 John he was entrusted with the sheriffalty of Lincolnshire, the duties of which he performed during the two following years.[6] But having then joined in the barons' war, he was taken prisoner in Rochester Castle in December, 1215, and remained in confinement certainly till the following July, when his son William had a letter of safe conduct to treat for his redemption. His property, part of which was in the several counties of Hert-

[1] Rot. de Oblatis, 15 John, 477.
[2] Dugdale's Baronage, i. 463.; Nicolas's Synopsis.
[3] Fines of Richard I. and John.
[4] Rot. Chart. 60. 156.
[5] Rot. Pat. 47.
[6] Ibid. 97.; Fuller's Worthies.

ford, Lincoln, and Rutland, was restored to him in 2 Hen. III., when he submitted to the royal authority.[1]

QUINCY, SAHERUS DE, EARL OF WINCHESTER.

JUST. 1211.

THE father of Saherus de Quincy, who bore the same name, was possessed of the lordship of Buchby, in Northamptonshire, by royal grants from Henry II. and Richard I. His mother was Maud de St. Liz, daughter of Simon, Earl of Huntingdon, and widow of Robert Fitz-Richard, of Tunbridge. Saherus was their second son, and was early in the confidence of King John. He was present at Lincoln when William, King of Scotland, did homage; and in the following year he was excused his scutage in Cambridge and Huntingdon, being then probably engaged in the king's service.[2]

In 5 John, Robert Fitz-Walter and he being besieged in the castle of Ruil, in Normandy, of which they had the command, delivered it up without resistance to the French king, who, disgusted at their apparent treachery, placed them in strict confinement. He, however, succeeded in satisfying King John, for in the same year he was released from a debt of three hundred marks he owed to the Jews[3]; and in the next year, on the death of Robert de Breteuil, Earl of Leicester, whose sister, Margaret, he had married, he had a grant, on a fine of one thousand marks, of all the earl's lands; with certain reservations in case Avicia, Countess of Montfort, his wife's sister, should claim her share; to which was added in 7 John, on another fine of five thousand marks, the lands of the honor of Grentemesnil.[4] The property was

[1] Rot. Claus. i. 241. 250. 308. 374.; Rot. Pat. 190.
[2] Madox's Exch. i. 665.
[3] Rot. de Liberate, 5 John, 38.
[4] Rot. de Finibus, John, 268. 320.

ultimately divided between Saherus de Quincy and Simon de Montfort, Earl of Leicester, in right of their wives.

In the charter of 8 John, 1210, which makes this partition, Saherus is for the first time called Earl of Winchester, to which dignity he had been just raised[1]; and as a more substantial proof of the royal favour, he received letters of quittance for half of the fines he owed for livery of these lands.[2] He was in personal attendance on the king in 11 and 12 John, accompanying him into Ireland, and partaking, according to the record, of his amusements at play.[3]

For the three following years he acted as a justicier; fines being levied before him in 13 and 15 John[4]; and his name being mentioned in Rot. Claus. 14 John, m. 4, indorso, as one of those "tunc ad Scaccarium residentes."[5] In 15 John, also, there are two mandates to the barons of the Exchequer made before him.[6]

Although he had hitherto continued loyal to the king, and had been one of the witnesses to the resignation of the crown to the Pope on May 15, 1212, 14 John, and afterwards one of the sureties for the restitution to the clergy, he eventually joined the insurgent barons; and being chosen of the twenty-five who were appointed to secure the fulfilment of Magna Charta, he underwent in consequence the Pope's excommunication. He was one of the ambassadors from them sent to invite Louis of France to assume the throne, and, adhering to him even after the accession of Henry III., was defeated and taken prisoner at the battle of Lincoln, on May 19, 1217.

On his submission, however, to the king, his lands were

[1] Madox's Exch. i. 51.
[2] Rot. de Finibus, 416.
[3] Rot. Misæ, 152. 162.; Rot. de Præstito, 183. 203. 208. 223. 240.
[4] Fines of Richard I. and John.
[5] Rot. Claus. i. 132.; Dugdale's Orig. Jurid. 50.
[6] Rot. de Finibus, 501, 502.

restored, and he went the next year to the Holy Land, where he was present at the siege of Damietta. He died in 1220 on his journey to Jerusalem, and was succeeded by his son Roger, on whose death, in 1264, without male issue, the title became extinct.[1]

RAMSEY, ABBOT OF.

JUST. ITIN. 1208.

IN Mr. Hunter's list of justiciers extracted from the fines, he introduces "Abbas Sancti Benedicti de Ramsey" in 10 and 15 John, 1208–1213[2]; but in the fines hitherto published his name does not appear. When Robert de Redinges resigned the abbacy in 1207, 9 John, the king issued a precept to the monks commanding them to elect the Prior of Frenton in his place, which they refused to obey. He thereupon kept the abbey vacant for seven years.[3] It would seem, however, that the Prior of Frenton, whose name I have not discovered, assumed the title of Abbot of Ramsey, notwithstanding the monks' resistance.

RICHMOND, ARCHDEACON OF. *See* RICHARD DE MARISCO.

RUPIBUS, PETER DE, ARCHDEACON OF STAFFORD, PRECENTOR OF LINCOLN, and BISHOP OF WINCHESTER.

JUST. 1208. CHANCELLOR, 1213. JUST. ANGL. 1214.

PETER DE RUPIBUS was a Poictevin by birth. He was a clerk in the king's chamber in the reigns of Henry II. and

[1] Dugdale's Baronage, i. 686.; Roger de Wendover, iii. 172. 254. 283. 355. 359., iv. 44.; Nic. Trivetus. 206.

[2] Pref. to Fines of Richard I. and John.

[3] Browne Willis's Mitred Abbeys, 154.; Dugdale's Monast. ii. 554., where he is called Prior of *Fronton*.

Richard I.; and in that of the former he held the rectory of Dartford, in Kent.[1] In 1 John he is called "Clericus noster," and is mentioned as Prior of Loches[2]; in which he must have succeeded Warine, noticed in the last reign. His name is also officially attached to several liberates in the following year; and so early as 3 John he filled the office of treasurer of Poictiers[3], and was also archdeacon of the church there.[4] About the same time he was raised to the dignities of Archdeacon of Stafford and Precentor of Lincoln; and was soon after elevated to the episcopal bench, being consecrated Bishop of Winchester at Rome on September 5, 1205, 7 John.[5] Roger de Wendover, in announcing his election, calls him "vir equestris ordinis et in rebus bellicosis eruditus."[6]

So high was he in the royal favour, that the king on this occasion presented him with two thousand marks.[7] Both before and after this event he was in continual attendance on his sovereign in his frequent progresses throughout the kingdom; many of the most minute, as well as the more important payments on the king's account, being made by him.[8] Throughout the king's difficulties he acted as one of his counsellors, and during his whole reign received many proofs of his bounty.

In 10 John, 1208, he is named as a justicier, fines being levied before him in the king's court.[9]

When Walter de Grey, the chancellor, went on a special mission to Flanders, he sent the great seal to the king at Ospringe, on October 9, 1213, 15 John, by Richard de Marisco: and there is an entry on the patent roll stating that, on December 22, the king delivered it to Ralph de

[1] Rot. Scacc. Norm. Observations, II. cxlviii. cxcvi.; Hasted's Kent, ii. 327.
[2] Rot. Chart. 10. 34.
[3] Rot. Pat. 1.
[4] Godwin de Præsulibus, 217.
[5] Ibid.; Le Neve, 133. 147. 285.
[6] Roger de Wendover, iii. 181.
[7] Madox's Exch. i. 388.
[8] Rot. de Liberate, Rot. Misæ, Rot. de Oblatis et de Finibus.
[9] Preface to Fines of Richard I. and John.

Neville, "sub Domino Wintoniensi Episcopo deferendum."[1] Although Mr. Hardy, and after him Lord Campbell, explain these words as meaning that Ralph de Neville so held the seal because the bishop was then custos of the kingdom, or chief justiciary, their interpretation cannot be accepted, because Peter de Rupibus was not placed in that high position till the following February; and because, indeed, there is no other instance of the great seal being held under any one but a chancellor. In no list hitherto published has the name of Peter de Rupibus been introduced as chancellor or keeper; but independently of the presumption which is raised by the words above used that he held the former office, all doubt of the fact is removed by the entry of two records on the fine-roll of that year, dated respectively November 21 and 24, 1213, in both of which the title of chancellor is distinctly added to his name.[2] There are also no less than eight charters between October 31, 1213, and January 3, 1214, inclusive, given under his hand[3]; and though the title of chancellor does not appear in his subscription to them, the omission probably arose from his holding the office only temporarily. He retired from it on the return of Walter de Grey, who is again spoken of as chancellor in a record dated January 12, 1214.[4]

On February 1, while the king was at Portsmouth ready to embark for Poictou, he appointed Peter de Rupibus Justiciary of England to act in his place and keep the peace during his absence.[5] In this character fines were levied before him at Westminster in 15 and 16 John[6]; and there are mandates of his dated as late as October 20, 1214,

[1] Dugdale's Chron. Series.
[2] Rot. de Finibus, 15 John, 507. 509.
[3] Rot. Chart. 195, 196.
[4] Rot. Claus. i. 160.
[5] Rot. Pat. 110.
[6] Dugdale's Chron. Series; Preface to Fines of Richard I. and John

16 John.[1] He was present at Runnymead on June 15, 1215, when Magna Charta was signed, but evidently not as chief justiciary, to which office Hubert de Burgh was a few days afterwards raised.

Ten days after the death of King John he assisted at the hasty coronation of Henry III. in the abbey church of Gloucester; and when, two years afterwards, William Mareschall, Earl of Pembroke, died, the custody of the royal infant was entrusted to his care. A rivalry had for some time existed between him and the chief justiciary, which now led into mutual attempts to ruin each other. In this contest Hubert de Burgh obtained such an ascendancy over the king's mind as to procure, in 1227, the dismission of the bishop, who, soon after, undertook a journey to the Holy Land, where he remained for nearly three years. But Hubert then becoming unpopular, the bishop was recalled to court, where, using his influence with the king, he soon succeeded in producing the disgrace of his antagonist, and acquiring the chief conduct of the royal counsels.

His encouragement of the harsh treatment received by his rival reflects as little to the credit of his generosity as his management of the finances and the introduction of his countrymen into places of trust did to his wisdom. The English barons soon became disgusted with both, and commenced the resistance which afterwards led to intestine war. He is charged with procuring the betrayal and death of Richard, Earl of Pembroke, by issuing a charter in the king's name, but without his authority, promising the earl's confiscated lands in Ireland to those who should take him dead or alive.

The king's eyes were at length opened by the remonstrances of Edmund, Archbishop of Canterbury, who, pointing out the certain consequences of following such counsels,

[1] Rot. Claus. i. 213.

procured the dismissal of the bishop, who was sent back to his diocese in April, 1234.

Being called to account for his administration of the treasury, he took refuge with his nephew, or son, Peter de Rivallis, at the altar of his church; and eventually escaped to Rome, from which he returned in 1236. He died at his palace at Farnham, on June 9, 1238, and was buried at Winchester.

Experienced from an early period of his life in the duties of office, he acquired a high character for wisdom and intelligence; which he seems to have deserved, except where he allowed his personal feelings to betray his judgment. However we may disapprove some of the acts of his life, we must allow him the merit of liberality and piety in founding monasteries, building churches, and endowing hospitals.[1]

ST. MARTIN'S, LONDON, DEAN OF. *See* GEOFFREY DE BOCLAND.

SALISBURY, ARCHDEACON OF. *See* HUMPHREY DE BASSINGBORNE.

SALISBURY, BISHOP OF. *See* HUBERT WALTER.

SAMFORD, THOMAS DE.

JUST. 1203.

THE first mention of Thomas de Samford is in 5 John, 1203, when Mr. Hunter introduces him in his list of the justiciers before whom fines were levied.[2] As this is the only year in which his name so occurs, he was probably present only as an officer of the Treasury of the Exchequer, with which he was evidently then connected; and was for many years

[1] Godwin de Præsul. 217.; Dugdale's Orig. Jurid. 12.; Angl. Sac. ii. 305. 506.; Roger de Wendover, iii. 237. 261. 302. 336.; Rapin.

[2] Pref. to Fines of Richard I. and John.

afterwards employed in a confidential manner by the king. There are several entries of his delivering money and plate into the chamber; and a mandate is directed to him in 15 John to deliver forty thousand marks, fifteen golden cups, a golden crown, and various other valuable articles then in his custody to two persons therein named. Two years afterwards he is quitted of sixty-six sacks of money, which were in the Treasury at Corfe, and which ought to contain nine thousand nine hundred marks.[1]

It appears from the Rotuli Misæ of 11 and 14 John, that he was at both periods in personal attendance on the king, when several payments were made through his hands, many of which relate to the royal sports. In the former year he had the custody of the abbey of Malmesbury, and was also governor of the castle of Devizes, and custos of the forests of Chippenham, Melkesham, and Braden.[2] In 14 John he was sent on a mission to Flanders[3], and to the last day of the reign he preserved his loyalty to his sovereign.

Among the rewards which he received is the grant of the scutage on his lands to his son Jordan, to support him while in the king's service beyond sea; the manors of Kening, Poterna, and Lavington; the lands of Saherus de Quincy, in Wiltshire, which were given to him in conjunction with Geoffrey de Neville; and lastly, ten dolia of good wine.[4]

He was one of the pledges for the payment of that curious fine of two hundred hens, which the wife of Hugh de Neville offered to King John for liberty to lie with her husband for one night.[5]

Little is recorded of him under King Henry III., before the sixth year of whose reign he must have died, as his son Warner was then admitted to the possession of his property

[1] Rot. Pat. John, 61. 110. 148. [2] Rot. Misæ, 11 John, 112. 118. 137.
[3] Rot. Claus. i. 395. 478.; Rot. Misæ, 14 John, 244.
[4] Rot. Claus. i. 41. 123. 230. 263. [5] Madox's Exch. i. 471.

in Wiltshire; and was appointed his successor as custos of the forest of Braden.[1]

SEINGES, RICHARD DE.

JUST. ITIN. 1206.

See under the Reign of Henry III.

STAFFORD, ARCHDEACON OF. *See* PETER DE RUPIBUS, HENRY OF LONDON.

STIVEKEL, JOSCELINE DE.

JUST. 1213.

JOSCELINE DE STIVEKEL, so called probably from the place of his birth, now Stukeley, in Huntingdonshire, was sheriff of that county and of Cambridgeshire in 8 and 9 John; and in the latter year paid twenty marks to be released from the employment.[2] From the entry of some payments made to him in 16 John on the public account, and from his having letters of protection while in the king's service beyond the seas, it seems probable that he was an officer connected with the Exchequer.[3] Several fines were acknowledged at Westminster in 15 and 16 John, 1213, 1214, in which his name appears among the justiciers present[4], but in no other year.

He soon afterwards went over to the side of the barons, and his lands were given in the next year to Simon de Campo Remigii. He had at the same time letters of safe conduct to go to the king; but he does not appear to have used them, as his estates were not restored till eleven months after the accession of Henry III., when the sheriffs of Bedford, Hunts, and Lincoln were ordered to give him possession.[5]

[1] Rot. Claus. i. 478. 490.
[2] Fuller's Worthies; Rot. de Finibus, 9 John, 382. 401.
[3] Rot. Claus. 16 John, i. 184. 193.; Rot. Pat. 127.
[4] Fines of Richard I. and John.
[5] Rot. Pat. 17 John, 170.; Rot. Claus. i. 251. 323.

STOKE, RALPH DE.

Just. 1200.

To the name of Ralph de Stoke the title of magister is usually prefixed, showing him to have been of the clerical profession. Dugdale, by mistake, calls him Archdeacon of Stafford, in 7 John[1], Henry of London, already noticed among the justiciers of this reign, then holding that dignity. From 2 to 8 John, 1200—1206, the fines levied in the Court at Westminster, and on the circuits, contain his name as a justicier present, without that designation[2]; and so also does the roll which records his assessing the tallage in Shropshire, in 8 John.[3]

He had the church of Wodeford, in Northamptonshire, in 4 John[4]; and in the next year he was presented to the church of Alrewas, in Staffordshire[5]; and two years afterwards he seems to have got into some disgrace, as he was fined a palfrey for tampering with a jury in Yorkshire.[6]

TAUNTON, Archdeacon of. *See* William de Wrotham.
TEWKESBURY, Abbot of. *See* Alan.
TOTNESS, Archdeacon of. *See* Walter de Grey.

TURNHAM, STEPHEN DE.

Just. 1199.

See under the Reign of Richard I.

Stephen of Tours, or de Turonis, de Turnham, or de Mazzai, as different writers call him, was the younger son of Robert de Turnham, who founded the priory of Cumbwell, in Kent. He was seneschall of Anjou in the latter part of

[1] Dugdale's Chron. Series.
[2] Fines of Richard I. and John.
[3] Madox's Exch. i. 734.
[4] Abbrev. Plac. 41.
[5] Rot. Pat. 40.
[6] Rot. de Finibus, 309.

the reign of Henry II., with whom he was a great favourite, and over whom he exercised considerable influence. He assisted that king in his last fatal wars, and was with him at Mans when it was besieged by Philip of France; and intending to destroy the suburbs by fire, the flames unfortunately extended to the city itself, and obliged Henry to fly.

On Henry's death, Stephen de Turnham was taken by King Richard, and loaded with chains; nor was he released until he had delivered up all the castles and treasures which the late king had entrusted to him; nor, as Richard of Devizes asserts, without the payment of an enormous fine. He was, however, soon restored to favour, and accompanying Richard on his expedition to Jerusalem, was, with Richard de Camville, entrusted with the government of Cyprus; and afterwards is enumerated among those noted "for their high valiance" in the holy war. In 1193 he was appointed to conduct Queen Berengaria into Poictou; and after the king's return he was employed in the Curia Regis as one of the justiciers. His name appears on several fines levied there in the last two years of Richard's reign; and as acting as a justice itinerant in the counties of Essex, Hertford, and Surrey. During the first four years of John's reign also, he was engaged in the same duties.[1]

He then appears to have retired from active employment, inasmuch as in 5 John he fined one thousand marks to be discharged from all accounts, arrears of escheats and wards, for the whole time he had the custody of them, as well in the reign of Richard as of John; and of the ferms of counties, and all other fines, tallages, and receipts wherewith he stood charged in the king's rolls.[2] That this was intended to be a favourable close of his account, and that he still enjoyed

[1] Fines of Richard I. and John; Dugdale's Chron. Series; Madox's Exch. i. 565. 733, 734. 743. 737.

[2] Rot. Pat. 5 John, 41.

the confidence of his sovereign, appears from the close of the entry, whereby the king excuses him three hundred marks, and orders that out of the residue he should be allowed one mark a day for the custody of the king's niece, the sister of the unfortunate Prince Arthur. The counties alluded to in this record are Berkshire and Wiltshire, of which he had been sheriff; the former in 10 Richard and 1 John, and the latter in 9 & 10 Richard and 1 John.[1]

In 7 John he received several payments of one mark each for the use of the queen[2]; and in 11 John a gift from the king of one hundred marks.[3] The Rotuli Misæ of the latter year and of 14 John contain entries of frequent payments to messengers to and from Winchester conveying the correspondence between the king and him; and in 14 John he was commanded not to allow any one to see the king's son Henry without special order.[4] In 7 John he paid a fine of three palfreys for a royal charter of confirmation of various grants of land he had received from Henry II. and Richard I.[5]

His property was considerably increased by his marriage with Edelin, the daughter and one of the heirs of Ranulph de Broc. He held one of the estates so acquired by the service of "Ostiarius Cameræ Regis;" and by another which he held in wardship he was marshal of the king's household.

He died in 16 John; in which year his widow paid sixty marks and a palfrey for liberty to marry with whom she pleased; and his eldest daughter, Mabilia, offered to be answerable for his debts to the king if her sisters would not.[6] His lands were divided among his five daughters.[7]

[1] Fuller's Worthies.

[2] Rot. Misæ, 11 John, 154.

[3] Rot. de Præstito, 7 John, 273, 274.

[4] Rot. Claus. 14 John, i. 121. 123.

[5] Rot. de Finibus, 7 John, 339.

[6] Rot. Claus. 16 John, i. 168.

[7] Excerpt. e Rot. Fin. 3 Henry III., i. 25.; Dugdale, in referring to this, leaves out one of the daughters, Dugdale's Baronage, i. 663.; Roger de Wendover, ii. 439., iii. 1.; Ric. Divisiensis, 6, 7.; Holinshed, ii. 202. 222. 232.; Manning and Bray's Surrey, i. 15. 83.

TURRI, JORDAN DE.

JUST. 1202.

JORDAN DE TURRI was an officer of the Exchequer in 1 Richard I., the great roll of that year recording that the Sheriffs of London and Middlesex accounted for certain expenditure, "per visum Jordani de Turri et per testimonium Willelmi de S. Mariæ Ecclesia."[1] In 4 John, 1202, we find him among the justiciers at Westminster before whom fines were levied[2], present, perhaps, only as an officer. He died about 6 John, in which year certain houses he held in London were ordered to be given to Hugh de Wells.[3]

VETERIPONTE, ROBERT DE.

JUST. ITIN. 1206.

See under the Reign of Henry III.

WALDHULL, SIMON DE.

JUST. ITIN. 1210.

DUGDALE, in his Chronica Series, introduces Simon de Waldhull (meaning probably Wahull) in connection with Roger Huscarl, as justiciers in 12 John, 1210, on the authority of a fine levied before them in that year.[4] But Mr. Hunter omits him in the list he has given in the Preface to Fines of this and the previous reign; and certainly his name does not appear on any of the fines in those counties which have been hitherto published; nor is there any entry concerning him in the various rolls of this reign.

There was a barony of Wahull, in Bedfordshire, the lord of which at this time was John de Wahull, the son of a

[1] Madox's Exch. i. 370.
[2] Pref. to Fines of Richard I. and John.
[3] Rot. Claus. i. 18. 35.
[4] Dugdale's Chron. Series.

Simon de Wahull, who died in 8 Richard I.; and this Simon may have been one of his younger sons.[1]

WALTER, HUBERT, Dean of York, Bishop of Salisbury, Archbishop of Canterbury.

Chancellor, 1199.

See under the Reigns of Henry II. and Richard I.

Hubert Walter, born at West Dereham, in Norfolk, was one of the sons of Hervey Walter, whose barony was in that county. His mother was Maud, the daughter of Theobald de Valoines, and the sister of Berta, the wife of Ranulph de Glanville, the great justiciary. Brought up under that celebrated man to the two learned professions of the church and the law, his advance in both, under such instruction and with such patronage, could not be doubtful.

So early as the 31 Henry II., 1185, his name appears among the barons and justiciers before whom fines were levied in the Curia Regis. Soon afterwards he was raised to the deanery of York, in which character he is mentioned as judicially present in the king's court in the 33rd and the last years of Henry's reign.[2] Even at this early period of his career he gave evidence of his piety and his gratitude by founding a monastery for Præmonstratensian monks at his native place, for the souls of his father and mother, and of his patron Ranulph de Glanville and his wife.

Immediately after the coronation of Richard I., he was elected to the see of Salisbury, and was consecrated on October 22, 1189. In the following year he accompanied that monarch on the crusade; and, with Archbishop Baldwin and his uncle Ranulph de Glanville, was placed in

[1] Dugdale's Baronage, i. 503.

[2] Pref. to Fines of Richard I. and John.

command of the forces before Acre. He alone of the three survived the campaign, and by his spirit and wisdom was of the greatest service to the army during Richard's illness; being mainly instrumental in procuring the truce with Saladin, when the King of France had deserted the cause. Before his return to England he had the satisfaction of visiting Jerusalem.

The king was so deeply impressed with his talents and prudent counsel, that when he heard of the sudden death of Josceline, Archbishop of Canterbury, he took every means, even before his own release from prison, to procure Hubert's appointment to the vacant primacy. His election having taken place on the 30th of May, 1193, the new archbishop showed his gratitude by the energy he exerted in collecting the ransom for the release of his sovereign. In September, 1193, he was raised to the office of chief justiciary, in the place of Walter de Constantiis, Archbishop of Rouen, who proceeded with Queen Eleanor to the place of Richard's confinement; and his power was afterwards greatly increased by his being appointed legate of the apostolic see.

On Richard's return he was high in his confidence; officiated at his second coronation in April, 1194, and continued for four years to perform the duties of his office with firmness and moderation. By his advice, weights and measures were regulated, and other laws against fraud were ordained. The possessor of power, however, is certain to have enemies; and he must be fortunate indeed who, in its exercise, commits no act which is obnoxious to censure. The archbishop was charged with neglecting his ecclesiastical duties, and with having violated the right of sanctuary in directing the execution of William Fitz-Osbert, a factious demagogue (I am afraid a lawyer), who had taken refuge in the church of St. Mary-le-Bow. These and other representations to his disadvantage were urged upon Pope Innocent

by the monks of Canterbury, who, however, are stated by Roger de Wendover to have been instigated by the fear lest a magnificent church which the archbishop was erecting at Lambeth should occasion the removal of the archiepiscopal seat from their city. Nevertheless, their application was successful: the new church was ordered to be demolished, and the king, under the threat of an interdict, was compelled to part with his chief justiciary on the shallow pretence that it was not lawful for bishops to be engaged in secular affairs. Hubert's resignation was reluctantly accepted in July, 1198, 9 Richard I., and Geoffrey Fitz-Peter was appointed his successor.

Although he had been a faithful servant to Richard, his absence in the Holy Land had prevented him from coming into collision with the king's brother, John. That prince, then, on Richard's death, knowing the respect with which he was regarded, deputed him and William Mareschall, Earl of Pembroke, to receive the fealty of the English barons. How the archbishop was induced to set aside the more legitimate claims of Prince Arthur, does not appear; but, as no improper motive is imputed to him, it may be presumed that he had not obtained an insight into John's real character, and that he considered the safety of the kingdom, in its then unsettled state, would be risked in the weak hands of a youthful sovereign. He placed the crown on John's head on May 27, 1199, being Ascension-day; and either on that day or immediately after was constituted his chancellor. The record of his appointment does not exist; but there is a charter given under his hand as chancellor, dated on June 6, being ten days after that solemnity.[1] His acceptance of this post did not escape remark as a proof of his cupidity. It was sneeringly observed to him, that "Heretofore chan-

[1] Rymer's Fœdera, i. 75.

cellors have been created archbishops, but no archbishop before you has vouchsafed to become chancellor."[1] The fact, however, merely proves that the office of chancellor was then advancing in importance, and was rapidly treading on the heels of that of chief justiciary, which, in a few years, in reference to all political power, it entirely superseded. In October, 1201, he again crowned King John, with his second wife, Queen Isabella, at Westminster; and soon afterwards repeated the ceremony at Canterbury. The magnificence of his expenditure on this occasion, and at Christmas, 1204, when he entertained the king in that city, is especially noticed by contemporary writers.

He continued to perform all the duties of the office of chancellor, if not to enjoy the favour of his sovereign, during the remainder of his life.[2] It is said that the king suspected him of favouring the efforts of the French monarch against his foreign dominions; but there is little probability that the fact was so; and the royal doubt of his loyalty probably arose from the archbishop's having offered a strong remonstrance against his expedition to recover them, the wisdom of which was proved by his sudden return without even attempting his object.

The archbishop died at Tenham, on July 13, 1205, and was buried in Canterbury Cathedral.

Few persons who have filled such high offices have passed through their career with so little blame. Commencing his life under the eye of his illustrious uncle, he acquired that knowledge, and laid the foundation for that experience and discretion, which gained him the confidence of three kings of very opposite characters, without degrading himself by any

[1] Lord Campbell calls one of his rebukers, "Hugh Bardolf, an unlettered baron;" forgetting that he was then a justicier, and had been so in the two previous reigns.

[2] Madox's Exch. i. 57.

low arts or undue subserviency. His private worth is evidenced by the friendship of Archbishop Baldwin, who entrusted him with the execution of his will; his resolution and high spirit were shown by his accompanying King Richard in his dangerous enterprise in the Holy Land; his loyalty and gratitude by his energetic efforts to release him from captivity; his wisdom by his administration of the government, and the useful laws he introduced; and if, from his secular employments, he neglected some of his ecclesiastical duties, those of hospitality and charity were not forgotten. Besides the monastery at Dereham, he founded another at Wolverhampton, enriched the revenues of his see, ornamented it with many buildings, and procured for it some valuable privileges. He presented also the living of Halegart to the church of Canterbury, devoting its revenues to the support of the library there; and obtained from King John the liberty of a mint for coining money in the city of Canterbury.[1]

He was the brother of Theobald Walter, the founder of the family of Butler, in Ireland, who is noticed in the reign of Richard I.[2]

WARENNE, WILLIAM DE.

Just. 1199.

See under the Reign of Richard I.

William de Warenne was the son of Reginald de Warenne, Lord of Wirmgay, in Norfolk, of whom some account has been given under the reign of Henry II.[3] He

[1] Dugdale's Origines, 8.

[2] Godwin de Præsul. 83. 342.; Le Neve, 4. 257. 313.; Atkyn's Gloucestersh. 9.; Weever, 218.; Spelman's Icenia. Reliq. 140.; Hasted's Kent, xii. 346.; Roger de Wendover, iii. 30. 34. 79. 90. 123. 129. 134. 137. 139. 155. 165. 182, 183.; Lingard, &c.

[3] See vol. i. p. 319.

succeeded his father about 31 Henry II., in which year he was charged with the escuage for the honor of Wirmgay. Like his father, he pursued the profession of the law; and in 5 Richard, 1193–4, he was a justice itinerant in the counties of Essex and Hertford.[1] He was also appointed one of the commissioners sent by the chief justiciary to determine the controversy between the archbishop and canons of York.[2] From 7 Richard to 1 John, 1195–1200, his name frequently appears among the justiciers of the Curia Regis at Westminster, before whom fines were levied.[3]

In the next year he was appointed justice of the Jews, and the rolls contain various mandates to him and his fellows in that capacity till the ninth year of that reign, 1207–8.[4] His death must have occurred shortly afterwards, as in 11 John his daughter Beatrice fined in three thousand one hundred marks, to be paid in four years, for having his lands.[5] He founded the priory of Wirmgay, and gave sixty acres of land to the canons of Southwark.

By his first wife, Beatrice, besides the above-named Beatrice, he had a son and daughter, Reginald and Isabel, who died in his lifetime. Beatrice, at the time of his death, was the widow of Doun Bardolf; and afterwards became the wife of Hubert de Burgh, Earl of Kent.

By his second wife, Milicent, widow of Richard Muntfichet, for the king's license to marry whom, in 5 John, he paid four hundred marks, he left no family. She survived him many years.[6]

[1] Madox's Exch. ii. 20.
[2] Ibid. i. 35.
[3] Fines of Richard I. and John; Dugdale's Chron. Series.
[4] Rot. de Oblatis, de Finibus, et Liberate, 2 to 9 John.
[5] Madox's Exch. i. 490.
[6] Dugdale's Baronage, i. 83.; Dugdale's Monast. vi. 591.

WELLEFORD, RALPH DE.

JUST. ITIN. 1199.

See under the Reign of Richard I.

THE first mention I find of Ralph de Welleford is in 31 Henry II., when he fined two marks to have his plaint against the prior of Deerhurst removed into the Curia Regis; and the roll of 1 Richard I. shows that it was only then paid.[1]

In the last year of that reign, and the first of that of John, his name appears among the justiciers before whom fines were levied[2]; and in 3 John he was one of the justiciers itinerant into Gloucestershire.[3]

He seems to have got into disgrace about 6 John, as he then paid ten marks and a Norway hawk for having seisin of his lands, of which he had been disseised by the king's precept, for taking away the corn "de terra Veile," which was reserved for the king. Geoffrey Fitz-Peter, Earl of Essex, also, in the same year, became his surety for another hawk, in which he was fined for taking the corn of Dorsington contrary to the king's prohibition.[4] Both these entries are in Warwickshire, where he had some land at Sturton[5]; and he is mentioned as one of the pledges for the fine which Alicia, Countess of Warwick, agreed to pay for her widowhood, to the extent of 200*l.*; with a further responsibility, in conjunction with Reginald Basset, for 27*l.* and ten palfreys.[6]

WELLS, ARCHDEACONS OF. *See* SIMON FITZ-ROBERT, HUGH DE WELLS.

[1] Madox's Exch. i. 97.; Pipe Roll, 1 Richard I.
[2] Pref. to Fines of Richard I. and John.
[3] Rot. Cancell. 3 John, 42.
[4] Rot. de Finibus, 6 John, 220. 259.
[5] Abbrev. Plac. 100.
[6] Rot. de Finibus, 276, 277.

WELLS, HUGH DE, ARCHDEACON OF WELLS; afterwards BISHOP OF LINCOLN.

? KEEPER, or VICE-CHANCELLOR, 1200. JUST. 1204.

See under the Reign of Henry III.

WELLS, JOSCELINE DE, afterwards BISHOP OF BATH AND WELLS.

JUST. 1203. ? KEEPER, or VICE-CHANCELLOR, 1205.

See under the Reign of Henry III.

WELLS, SIMON DE. *See* SIMON FITZ-ROBERT.

WICHINTON, HENRY DE.

JUST. 1199.

See under the Reign of Richard I.

DUGDALE inserts Henry de Wichinton as a justicier before whom a fine was levied at Westminster, in 9 Rich., 1197–8; but Mr. Hunter's list notices his name as occurring only in the first three years of the reign of John.[1]

The only other entry relative to him, that I find, is in 8 Richard I., when he was discharged from the sum of sixty marks which he had fined for the custody and marriage of the daughter of Philip de Niewebote, the king having granted the same to Ralph de Gernemue.[2]

WILLIAM, ARCHDEACON OF HEREFORD.

JUST. ITIN. 1208.

WILLIAM, Archdeacon of Hereford, was one of the justiciers present with the king at Bristol, in 10 John, 1208, when fines were acknowledged before him[3]; but I find no other record of his performance of judicial duties.

[1] Dugdale's Chron. Series; Fines of Richard I. and John.
[2] Madox's Exch. i. 202. 323. [3] Fines of Richard I. and John.

He held the archdeaconry from 1200 to 1221, according to Le Neve, who thinks his name was Fitz-Walter.[1] Soon after his appointment, he had a grant of that portion of the church of Ledbury which Henry Banastre held.[2]

WINCHESTER, Bishop of. *See* Peter de Rupibus.
WINCHESTER, Earl of. *See* Saherus de Quincy.
WORCESTER, Archdeacon of. *See* John de Brancestre.
WORCESTER, Bishop of. *See* Walter de Grey.

WROTHAM, WILLIAM DE, Archdeacon of Taunton.

Just. 1199.

See under the Reign of Richard I.

The name of William de Wrotham frequently occurs in the Curia Regis. In 10 Richard I., and in 8 and 10 John, fines were acknowledged before him at Westminster[3]: and there are entries on the rolls showing that he acted as a justicier in some of the intervening years. In 1 John, some parties were summoned to appear before him and Reginald de Cornhill and John de Gestling[4], already noticed as justices: and in 7 John, the two former are directed to receive the names of the pledges to be given for the payment of a fine.[5]

His career was an active one; and he filled many offices of responsibility and trust. He was for a long period custos of the stannaries of Devonshire and Cornwall; his accounts for the issues of the mines there appearing on the rolls from 10 Richard I., 1199, to 14 John, 1213.[6] In the early part of John's reign, he was evidently in great favour, both with his sovereign and the people; for he had grants of Newenton

[1] Le Neve, 118.
[2] Rot. Chart. 2 John, 80.
[3] Fines of Richard I. and John.
[4] Rot. de Oblatis, 1 John, 47.
[5] Rot. de Finibus, 7 John, 299. 303.
[6] Madox's Exch. ii. 132.; Rot. Cancell. 3 John, 28.

and Lintemore, with other privileges from the king[1]; and the inhabitants of Dorset and Somerset paid a fine of 100*l.* for his appointment as forester for those counties.[2] In the same year he was constituted Sheriff of Devonshire[3]; and four years afterwards he appears as one of the collectors of the quinzime of merchandize.[4] In 5 John he had a grant of four librates of land "in Suthon," by free service of two pairs of gilt spurs, or twelve-pence, per annum.[5] He is mentioned in that year as one of the canons of Wells[6], and in the following he was raised to the archdeaconry of Taunton[7], and was soon after further gratified with presentations to the churches of Wardon in Shepey, and of East Malling in Kent.[8]

When the king made an assize "de moneta custodienda et retonsoribus et falsonariis monete nostre destruendis," he and Reginald de Cornhill were appointed "superiores custodes."[9] He obtained the grant of a market at Norcury for the use of the church of Wells[10]; and another in 8 John, of the forestry of Somerset, Exeter, and Devon, as pertaining to his lay fees, with authority to his brother Richard to act for him.[11]

By an entry on the fine roll of 9 John, it appears that he paid 2300 marks for the king's favour, "benevolentiam regis."[12] Were it not for the continued marks of honor and grants of personal advantage that distinguished him at this time, and that the other rolls of that and the previous year show that there was no interruption of the royal confidence, this fine might be considered as proving that he had incurred

[1] Rot. Chart. 1 John, 29.
[2] Fuller's Worthies.
[3] Rot. Chart. 5 John, 130.
[4] Madox's Exch. i. 771.
[5] Ibid. 183.
[6] Le Neve, 46.
[7] Rot. Pat. 7 John, 59. 66.
[8] Ibid. 54.
[9] Rot. de Oblatis, 1 John, 11.
[10] Rot. de Finibus, 319.
[11] Rot. Pat. 68.
[12] Rot. de Finibus, 412.

the king's displeasure. It was probably, however, no more than a donum presented to the king in a time of pecuniary pressure; as much with hopes of future benefit, as in acknowledgment of past favours. Indeed, few grants were made in those times, without some return to the king's exchequer; and we find, among several other fines paid by William de Wrotham, one of 100*l.* and two hawks, for King John's confirmation of King Richard's grants to him.

In 11 and 12 John, he was warden of the sea-ports; and in that character he is ordered, as late as 16 John, to provide a ship to William de Percy, on the king's service.[1] The Rotulus Misæ of 11 John, and that de Præstito of 14 John, show that he was with the king in those years; and in 15 John he had an additional ecclesiastical benefice, in the grant of a prebend in the church of Hastings.[2] He is mentioned by Roger de Wendover as one of the king's advisers during the time of the interdict.[3] In the wars at the end of the reign, he quitted the country, whether in consequence of his having joined the barons, or on his own affairs, does not appear; but in 17 John, letters were granted to him, permitting him to come to England and return in safety.[4]

His death occurred in 2 Hen. III., when John Mareschall paid sixty marks for having the wardship and marriage of Richard, his nephew and heir.[5]

Le Neve says he was Archdeacon of Canterbury in 1206; and there is certainly an entry on the close rolls, dated May 19, in that year, in which he is called "W. de Wrotham, Arch. Cant."[6]: but, inasmuch as he is on no other occasion so styled, and as five days afterwards he is

[1] Rot. de Finibus, 547.
[2] Rot. Pat. 106.
[3] Roger de Wendover, iii. 237.
[4] Rot. Pat. 180.
[5] Rot. Claus. i. 352, 353.
[6] Ibid. 70.

designated by his title of Archdeacon of Taunton, I am inclined to think that the word "Cant." is a misreading, or an error of the transcriber for "Tant.," the usual abbreviation for Taunton.

YORK, ARCHBISHOP OF. *See* WALTER DE GREY.
YORK, DEAN OF. *See* HUBERT WALTER.

HENRY III.

Reigned 56 years, and 19 days; from October 28, 1216, to November 16, 1272.

SURVEY OF THE REIGN.

HENRY III. was prevented by Magna Charta from annoying his subjects as his father, King John, had done, by perpetually traversing the kingdom, and holding his court for private pleas in distant places. In a case where a party was summoned before him or his court, in Buckinghamshire, to warrant a certain manor, the defendant pleaded that it was against Magna Charta that this plea should follow the king, because common pleas ought to be held in a certain place. To this it was replied that this was not a common plea, but that as it touched the person of the king, it should be determined before him; and so it was adjudged[1]: but it showed the value in which the privilege was held. Although some few instances occur of the king's occasionally sitting in court towards the end of the reign, he seems in general to have avoided interfering in the legal business of the country, as it is related of him by a monk of Worcester that he went away from Winchester, because Roger de Seyton and his companions were about to sit there on their circuit.[2] While the king was in Gascony, pleas were sometimes heard before the queen, then *custos regni*, and her council.

The title of chancellor was certainly not given to all those

[1] Abbreviatio Placitorum, 105.

[2] Angl. Sac. i. 498

who had the independent custody of the great seal during this reign. It seems, indeed, doubtful whether, after the death of the second chancellor, Ralph de Neville, on February 1, 1244, 28 Henry III., there was any chancellor for the next seventeen years; that designation never but once occurring in the records which relate to the holders of the great seal during that period. The terms used on the delivery of the seal to them are, "suscepit custodiam sigilli;" "hic sigillum fuit commissum;" "sigillum tradidit A. B. custodiendum ad voluntatem Regis," &c.: and when William de Kilkenny, in January, 1255, 39 Henry III., retired from the office which he had held for nearly five years, he received a quittance for all the time "quo fuit *custos sigilli nostri* in Anglia."

This is the first time the title of CUSTOS SIGILLI is used. In the reign of Richard I. there were, as we have seen, certain persons, who, while the chancellors remained in England, accompanied the king abroad with one seal, the functions attached to which they performed beyond the seas; another seal being left in England with the chancellor. But, when they authenticated the charters, the qualifying words "tunc agens vices cancellarii," or "vice cancellarius," were attached to their names. In John's reign, also, it has been shown that there were several who authenticated the charters instead of the chancellor, both in his absence and his presence, but without any addition to their names: being apparently merely principal clerks of the court, acting officially. But in both these reigns there was always a chancellor at the same time.

In the reign of Henry III., however, a change evidently occurs in the constitution of the office. From the following summary it will manifestly appear that the seal was held by persons who were not chancellors, and who were not deputies to chancellors; but who performed all the duties attached to

the office, without bearing the title. It seems, then, not an improbable conjecture, that to this reign, by the introduction of an officer, acting independently as a chancellor, and yet not being a chancellor, may be traced the commencement of that anomalous and almost indefinable distinction even now existing between a chancellor and a keeper of the seal.

The grant of the chancery, and of the custody of the seal, by two separate charters of the same date, to Ralph de Neville, hereafter adverted to, may have been the origin of this distinction. The very language of the historians seems to show that an alteration had been introduced which they did not quite understand. In speaking of William de Kilkenny, for instance, Matthew Paris uses the equivocal expression, "cancellarius specialis supplevit officium cancellarii;" and he applies the same term, "cancellarius specialis," also to Ranulph Brito. Again, on two other occasions, when speaking of John Mansel and Silvester de Everdon, he uses the expression "vices agens (or acturus) cancellarii."

If this view be a correct one, the change may be somewhat accounted for by the inconvenience which the king experienced with regard to Ralph de Neville, Bishop of Chichester. When desirous of getting rid of that prelate's ministry, he felt himself compelled, from having, by various patents, granted the chancellorship to him for life, to allow the bishop to retain the office and its emoluments. The consequence was, that, though the seal was placed in other hands after the bishop's disgrace, he still remained chancellor till his death. To avoid a recurrence of this difficulty, the king probably determined not to fill up the office at all; the more especially as he had found that the business was as satisfactorily performed by the deputy as by the principal.

The following is the order in which the chancellors and keepers of the seal succeeded each other in this reign.

RICHARD DE MARISCO, who held the office of chancellor at the death of King John, was continued in it on the accession of Henry III.[1]; nor was he disturbed in his tenure during the remaining ten years of his life. He was advanced to the bishoprick of Durham in 1217, and died on May 1, 1226, 10 Henry III.

Lord Campbell states that he resigned the seal before his death, but gives no authority for the assertion. There is a mandate addressed to him as chancellor, so late as June 15, 1225, 9 Henry III.[2]; and in no other entry on the close roll does the name of a chancellor appear till June 28, 1226[3], when Ralph de Neville is so called; although the latter is frequently mentioned without that title in the interim.

During Marisco's chancellorship, it is probable that Ralph de Neville continued to perform some of those duties of the seal which, as we have seen, fell to his share in the former reign; and by thus acting during the occasional absences of Marisco, the title of vice-chancellor, by which he was addressed in some letters, between 1218 and 1222, referred to by Mr. Hardy, will be accounted for.

RALPH DE NEVILLE, now Bishop of Chichester, however, was certainly chancellor, as above stated, on June 28, 1226, although previous writers have almost invariably stated his first appointment to have been on February 12, 1227, 11 Henry III.[4] That was merely the day on which, being then chancellor, he had a grant of the chancery *for life*.[5] This charter was renewed in nearly the same terms in the 13th, 16th, and 17th years of Henry's reign. There are two charters of 16 Henry III., from which an inference may

[1] Rot. Claus. 1 Henry III., i. 313.
[2] Ibid. 9 Henry III., ii. 73.
[3] Ibid. 10 Henry III., ii. 113.
[4] In Dugdale's Monasticon there are four charters under his hand as chancellor before this date; viz. January 30, 1227, vi. 1296.; two on February 8, vi. 154. 158.; and February 11, v. 405.
[5] Rot. Chart 11 Henry III., m. 28.

be drawn that a distinction was then supposed to exist between the chancery and the custody of the seal. They are both dated June 14, 1232: by the first, the *chancery* is granted to Ralph, Bishop of Chichester, the Chancellor, with all the appurtenances, liberties, and customs pertaining to it, for the whole of his life[1]; by the other, the custody of the *seal*, with all its appurtenances, liberties, and customs, is also granted to him for life. To the latter was annexed an additional clause, which authorized him to bear and keep the said seal either in his own proper person, as long as he pleased, or *by some discrete, sufficient, and fit person, his assignee*, the person so assigned being previously sworn to his faithful service.[2] These charters were granted just before the disgrace of Hubert de Burgh, the chief justiciary. After that event, the bishop no doubt deemed it advisable to have a renewal of them; and accordingly, on May 4, 1233, two similar charters were granted to him; and on the same day the chancellorship of Ireland for life was conferred upon him by another charter.

Whether he ever voluntarily exercised the power of nominating a deputy, which extended only to the custody of the seal, does not appear: but on the loss of his sovereign's favour, and the seal being placed in the hands of other individuals, it appears, on the authority of Matthew Paris, that his life-interest in the chancery was so far respected, that he was still to receive the emoluments of the office as chancellor. He bore the title till his death on February 1, 1244, 28 Henry III.: and a patent with his name as chancellor occurs in that year.[3]

The first occasion of the removal of the seal from his charge was his being elected to the see of Winchester, where the king had been desirous of placing his uncle William, Bishop

[1] Rot. Chart. 16 Henry III., m. 8. [2] Ibid.; Madox's Exch. i. 64.
[3] Rymer's Fœdera, i. 253.

of Valence. The formal phraseology of the patent of course betrays no sign of the anger with which it was taken away from him, simply recording that, on August 8, 1238, 22 Henry III., he, "tunc postulatus in episcopum Wintoniensem," with his own hands delivered up the seal to the king at Winchester.[1]

Matthew Paris states that it was then committed to the custody of Geoffrey the Templar and John de Lexinton: and adds that it was soon afterwards placed in the hands of Simon Normannus, who, in the following year, was expelled the court; when the seal was given to Richard Crassus, Abbot of Evesham, on whose election to the bishoprick of Lichfield and Coventry he resigned it into the king's hands. No record exists as to the appointment of the three first, nor of their execution of the duties attached to the office. They were probably mere officers of the court to whom the seal was temporarily entrusted for safe custody. By a patent dated May 5, 1242, 26 Henry III., committing the government of the kingdom, during the king's absence in Gascony, to Walter de Grey, Archbishop of York, assisted by Walter Mauclerc, Bishop of Carlisle, and William de Cantilupe, it appears that the great seal was then in the custody of another person. Writs as well of the king's affairs as of common right were to be issued in the king's name and with his title, and were to be sealed "per manum" of Ralph, Bishop of Chichester, the chancellor, with the king's seal, which was kept at the Exchequer in the custody of Silvester de Everdon, then one of the officers in that department. Writs of the Exchequer were to be sealed with the king's privy seal, having the royal arms, and inscribed "Sigillo de Scaccario."[2]

After Ralph de Neville's death, Dugdale introduces RANULPH BRITO as chancellor, quoting a passage from Matthew

[1] Rot. Pat. 22 Henry III., m. 2. [2] Rot. Pat. 26 Henry III., m. 2.

Paris which mentions his death in 1246, but which, even if it were of any authority, is very equivocal in its expression[1]: the words "cancellarius specialis," which he uses, being in themselves somewhat indefinite, and appearing, by the construction of the sentence, rather to infer that he was chancellor to the queen. It is possible that he may have filled that office, as the queen consort in those times had a chancellor. It is certain, however, that there is no evidence of his having had the custody of the king's seal.[2]

The name of SILVESTER DE EVERDON, already noticed as having the seal under his custody at the Exchequer in 1242, next occurs; but whether as chancellor or keeper is uncertain, though the phrase "vices agens Cancellarii" would imply the latter rather than the former; and the king's celebrated address to him at a later date, as "diu lambens Cancellariam," would apply to either character. He was elected to the bishoprick of Carlisle in August, 1246, soon after which he resigned the seal.

On November 8, 1246, 31 Henry III., JOHN MANSEL, then chancellor of St. Paul's, received the seal. That he held it as keeper, and not as chancellor, may be inferred from the entry on the patent roll of that year, wherein it is stated that he *had the custody* of the seal from that day till Aug. 27, 1247, when he was sent on an embassy to foreign parts.[3]

During his absence, which lasted about a year, the seal was again placed in the hands of JOHN DE LEXINTON, at that

[1] The passage runs thus: "Ranulphus quoque Brito, quondam Domino familiarissimus Regi et Reginæ multis postpositis magnatibus, et ejusdem cancellarius specialis; cum post mensalem refectionem alea fores certatim inspexisset colludentes, læthalis apoplexiæ, inexpectato vulnere corruit sugillatus." M. Paris. Ed. 1684, p. 627.

[2] Lord Campbell calls Ranulph Brito, Bishop of Bath and Wells, which he never was; and, forgetting a fact which is sufficiently notorious, intimates that queen-consorts had no chancellor. See antè, vol. i. p. 81.; Madox's Exch. i. 60.; Monast. v. 452., &c.

[3] Rot. Pat. 31 Henry III., m. 2.

time a clerk in the Chancery. The entry on September 18, 1247, is, "hic suscepit *custodiam* sigilli."[1]

On August 10, 1248, John Mansel having returned from abroad, "recepit *custodiam* sigilli."[2] It remained in his possession till September 8, 1249, 33 Henry III.[3]

The entries on the roll from which these dates are taken are evidently made under Mansel's authority; and as they invariably state only that he has "custodiam sigilli," and never designate him as chancellor, it must be naturally presumed that he could not claim the superior title.

On October 8, 1249, the seal was again placed in the custody of John de Lexinton; and on his retiring from court in the following year, it was entrusted to the charge of Peter de Rivallis and William de Kilkenny.[4] The former was then a keeper of the king's wardrobe, and it was probably in that character only that the seal was deposited under his custody: the latter was also an officer of the court, and either was connected with or had some control over the same department, as the accounts of it at this period were passed under his "visum et testimonium."

There is nothing to show how long the seal was under their joint custody, nor who performed the functions of the Chancery for the next three years. But during at least the latter part of that period it is evident that WILLIAM DE KILKENNY acted alone, as on May 15, 1253, 37 Henry III., the seal was committed to Peter Chaceporc (also a keeper of the wardrobe) and John de Lexinton, because William de Kilkenny was ill.[5] This was of course only a temporary measure.

In the next month the king, having on his going into Gascony confided the government of the kingdom during

[1] Rot. Fin. 31 Henry III., m. 2.
[2] Rot. Pat. 32 Henry III., m. 5.
[3] Ibid. 133 Henry III., m. 3.
[4] Rot. Claus. 34 Henry III., m. 15.
[5] Rot. Fin. 37 Henry III., m. 9.

his absence to Queen Eleanor, commanded her to deliver to William de Kilkenny the seal of the Exchequer, to be borne and kept by him *in the place of the great seal*, which he had directed to be locked up till his return from abroad.[1] This order had been given by another document, whereby he had placed the great seal in the custody of the queen, under his own private seal and the seals of his brother Richard, Earl of Cornwall, and others of his council.

Upon this foundation a noble author, by his gallantry and a natural desire to vary his narrative and grace his entertaining pages, has been induced to insert Queen Eleanor as a lady keeper of the seal. A grave contradiction to what is only, perhaps, intended as a lively sally, would be out of place; for his lordship must be well aware that, being regent of the kingdom while her royal husband was away, she could no more be keeper of the seal during his absence, than he himself could be his own chancellor if he were present; and that the pleas he refers to in the Curia Regis were not held before her majesty as *Custos Sigilli* but as *Custos Regni*, in the same manner as the king himself sometimes presided.

William de Kilkenny continued to hold the substituted seal till the king's return; four days after which, on January 5, 1255, 39 Henry III., he delivered it into the king's hands, having been previously elected Bishop of Ely.[2]

Mr. Hardy states that he was chancellor, on the authority of Matthew Paris, whose unsupported evidence could scarcely be received even if the words "Cancellarius specialis," which he again uses, were sufficiently precise to fix his meaning. He is certainly called "Cancellarius noster" in the attestation to a patent of 37 Henry III.[3]: but there seems, on the contrary, to be strong proof that he did not bear that title, inasmuch as immediately on his retirement, the bishop elect

[1] Madox's Exch. i. 69.; Rot. Pat. 37 Henry III., m. 5.
[2] Rot. Pat. 39 Henry III., m. 15. [3] Rymer's Fœd. i. 288.

received a patent giving him full quittance from all reckonings or demands in respect of the king's court or otherwise, "de tempore quo fuit *custos sigilli nostro* in Anglia."[1]

On the resignation of William de Kilkenny, the king delivered the seal to HENRY DE WINGHAM[2], who held it with some short intervals, until a few months after he was made Bishop of London, when he was removed, on October 18, 1260, 44 Henry III.[3] Neither in the record of his appointment, nor in that of his retirement, is he called chancellor; nor does he appear to be so designated in any other document. During his occasional absences from the court on account of illness or otherwise, the seal was put temporarily in the hands of Walter de Merton[4], then a clerk of the Chancery.

On the day of Henry de Wingham's retirement, the king, or rather the barons, transferred the seal to NICHOLAS DE ELY, Archdeacon of Ely, who retained it only till July 5, 1261, 45 Henry III.[5], when the king took it out of his hands and delivered it to WALTER DE MERTON, who immediately sealed with it.

In the patents above referred to, Nicholas de Ely is not called chancellor; that appointing him, indeed, stating that he took the oath "de Sigillo Regis fideliter custodiendo." There is no doubt, however, that Walter de Merton bore that title, as in a liberate dated in the following October, granting him an annual allowance of four hundred marks for the support of himself and the Chancery, he is so styled.[6]

Thus, then, there is no documentary proof of the nomination of a chancellor between the death of Ralph de Neville on February 1, 1244, and Walter de Merton's receiving the

[1] Rot. Pat. 39 Henry III., m. 15.
[2] Ibid.
[3] Rot. Pat. 44 Henry III., m. 2.
[4] Rot. Pat. 42 Henry III., m. 29.
[5] Rot. Pat. 45 Henry III., m. 7 and 8.
[6] Rot. Liberate, 45 Henry III., m. 3.

seal on July 5, 1261, except the single signature to the patent of 37 Henry III., which is corrected by the title given in the subsequent quietus.

During Walter de Merton's chancellorship the king went abroad in July, 1262, and, according to Mr. Hardy, was accompanied by his secretary, John Mansel, with the seal, which, however, that officer resigned on October 10, when it was put temporarily into the hands of Robert Walerand and Imbert de Munster. Neither of these were in any way connected with the chancery; but the former, both before and after this period, was a justicier, and was then a favourite counsellor of King Henry; the relation probably in which the latter also stood to him.

Walter de Merton was removed on July 12, 1263, when the seal was restored to NICHOLAS DE ELY. It is somewhat curious, though he is called Cancellarius Regis in the record of a fine he paid on September 1, for the custody of certain lands during the minority of the heir[1], yet that on the king's going abroad on the 18th of that month the entry on the close roll does not use the title, but states that the great seal *remained in his custody*, with a prohibition against his sealing any but writs of course, which were to be attested by Hugh le Despenser, the Justiciary of England, except some that were particularly named.[2]

Nicholas de Ely continued in office till he was appointed treasurer on October 1, 1264[3]; and perhaps he held both offices together till February 21, 1265; for, though on that day the king is stated to have received the seal from John de Chishull, Archdeacon of London, and to have committed it to be kept by Thomas de Cantilupe[4], there is no entry of its having been previously delivered to John de Chishull: and

[1] Excerpt. e Rot. Fin. 47 Henry III., ii. 403.
[2] Rot. Claus. 47 Henry III., m. 6.
[3] Madox's Exch. ii. 319.
[4] Rot. Pat. 49 Henry III., m. 22.

it seems probable, in the absence of any evidence of his acting in the Chancery, that he was merely the bearer of it to the king from its ordinary place of deposit in the treasury; as he at that time held the new office of Chancellor of the Exchequer, — a sort of deputy or lieutenant to the king's treasurer.

In this record of the delivery of the seal to THOMAS DE CANTILUPE, the word "custodiendum" only is used; but by another, dated March 28 following, he is constituted chancellor, with an allowance of five hundred marks for his annual fee.[1] His enjoyment of the office was of short duration, for so early as the 10th of the ensuing August, a new chancellor had the grant of a similar allowance.[2]

Even during this short interval the seal, in a temporary absence of the chancellor, was deposited on May 7, 1265, in the custody of the keeper of the wardrobe, Ralph de Sandwich, under the seals of P. de Montfort, Roger de St. John, and Giles de Argentine, and he was to seal precepts in their presence only, but writs of course, whether they were absent or present.[3]

The battle of Evesham, which was fought on August 4, 1265, terminated the official career of Thomas de Cantilupe, he having been really appointed by the now defeated barons. His successor was WALTER GIFFARD, Bishop of Bath and Wells[4], who held the seal till after he was created Archbishop of York, to which see he was translated on October 15, 1266, 50 Henry III.

His brother, GODFREY GIFFARD, shortly afterwards Bishop of Worcester, succeeded him; but the date of his appointment is not recorded. On January 27, 1268, 52 Henry III.,

[1] Rot. Pat. 49 Henry III., m. 18.
[2] Rot. Liberat. 49 Henry III., m. 2.
[3] Rot. Pat. 49 Henry III., m. 16.
[4] Rot. Liberat. 49 Henry III., m. 22.

a mandate was issued to the Sheriff of York, directing him to pay the fines for writs in the Exchequer issued to the sheriff, in part payment of the annual fee of five hundred marks granted to Godfrey Giffard, for the support of himself and the clerks of the Chancery.[1] He held the seal till October 29, 1268, 53 Henry III.

On the next day it was delivered to JOHN DE CHISHULL, then Dean of London, "custodiendum ad voluntatem Regis."[2] The expression is remarkable: he is never called chancellor; nor did the seal remain long in his possession.

At the end of the following July, 1269, it was placed in the hands of RICHARD DE MIDDLETON, then one of the justiciers; and in the entries on the rolls, quoted by Dugdale, he is distinctly called *Custos Sigilli*.[3] Although the title of chancellor is given to him in the roll recording his death on August 7, 1272, 56 Henry III.[4], it is probable that he was not raised to that dignity for some time, and that in the interim the king appropriated to himself the profits of the Chancery. Madox quotes from the Great Roll the account of John le Fauconer, "Receptoris, denariorum proveniencium de exitibus Sigilli Regis," for two years, commencing on the feast of St. Simon and St. Jude, October 28, 1269, that is, the first day of the regnal year of 54 Henry III., and ending on October 28, 1271.[5] The profits, which are here accounted for to the king, would clearly have belonged to the chancellor, had the office been full; so that the appointment

[1] Rot. Claus. 52 Henry III, m. 10.

[2] Rot. Pat. 53 Henry III., m. 29.

[3] Ibid. m. 6.; Rot. Chart. 53 Henry III., m. 8.

[4] Rot. Chart. 56 Henry III., m. 2.

[5] Madox's Exch. i. 60. Lord Campbell quotes the same account, as "rendered *to* De Middleton;" but these rolls contain the accounts of the *king's* revenue, and not of the chancellor's. I regret that his lordship has only given us the credits copied by Madox; the others might have assisted the inquiry.

of Richard de Middleton as chancellor must have occurred at a subsequent date.

On his death, the seal was delivered into the king's wardrobe, to be kept at the king's pleasure, by JOHN DE KIRKEBY, who was probably the first clerk of the Chancery, as he was frequently entrusted with it in a similar manner in the following reign. The entry on the patent roll states that he associated *to himself* in this charge P. de Winton, the keeper of the wardrobe.[1]

The king lived little more than three months longer, during which no new chancellor was appointed. On his death on November 16, 1272, John de Kirkeby delivered the great seal, under the seals of himself and of P. de Winton, to the king's council.[2]

It is worthy of remark, that of sixty-one charters of this reign authenticated by chancellors, contained in Dugdale's Monasticon, fifty-eight are so subscribed by Ralph de Neville, two by Walter Giffard, and one by Godfrey Giffard; and none by any of the other persons mentioned as chancellors or keepers.

The first instance that I have discovered of the use of the title of "Chancellor *of England*" occurs in this reign, in the attestation by Walter Giffard of two charters granted by the king's brother, Richard, King of the Romans, to the abbey and the priory of Burnham in 1266.[3] Both immediately before and after this, however, the old title of Cancellarius *Regis* is used.

Some instances occur of the chancellor still continuing to act as a justice itinerant, viz., Richard de Marisco in 3 Henry III., and Ralph de Neville in 14 Henry III.; but none later than that date.

[1] Excerpt. e Rot. Fin. ii. *575.*; Rot. Pat. *56* Henry III., m. *6.*

[2] Excerpt. e Rot. Fin. ii. *590.*

[3] Dugdale's Monast. (1846), iv. 279:, vi. *546.*

The daily salary of the chancellor, noticed in the preceding reigns, seems to have been discontinued towards the latter end of this; when an annual salary was attached to the office. The first chancellor who was paid under this new arrangement was Walter de Merton, who, in 1261, had a grant of four hundred marks per annum, "ad sustentationem sui et Cancellariæ nostræ," "dum fuerit in officio predicto."[1] This allowance was increased in 1265, when Thomas de Cantilupe was chancellor, to five hundred marks; the words of application being still more distinct, "ad sustentationem suam et clericorum Cancellariæ nostræ."[2] The same sum was for the like purpose granted to Walter[3] and Godfrey[4] Giffard, his two immediate successors.

Out of this allowance, therefore, the chancellor had to pay the clerks of the Chancery; but as we do not know their number, nor the amount of their salaries, we cannot calculate what balance remained to the chancellor himself. Whatever it was, it must have been greatly increased by the fees to which he was entitled.

We are enabled, in some measure, to estimate the amount of these fees by the return to which I have already adverted in the time of Richard de Middleton, when John le Fauconer accounted for them to the king. The total receipt for two years was 973*l.* 16*s.* The disbursements are not fully given, but as those named amount only to the trifling sum of 19*l.* 6*s.* 3½*d.*, we may presume that the whole deduction would not exceed the odd sum of 73*l.* 16*s.* Thus there would be an annual balance of 450*l.* for the chancellor, which, with his share of the salary after paying the clerks of the Chancery, and the other advantages arising from the

[1] Rot. Liberat. 45 Henry III., m. 3.
[2] Rot. Pat. 49 Henry III., m. 18.
[3] Rot. Liberat. 49 Henry III., m. 2.
[4] Mag. Rot. 52 Henry III., m. 2. 6.; Cant. and Hunt.

office, would form an aggregate not much less *in value* than the income now attached to it.

This appropriation by the king of the profits of the Chancery may perhaps account for his leaving the office of chancellor vacant during so many years of his reign.

Madox names only two of the deductions in the above account: the first being for wages at fourpence-halfpenny a day, "custodi summarum Regis Cancellariæ;" and the other for parchment for the use of the clerks, and "for other small expenses of the Chancery and the king's chapel." This entry, therefore, shows that the king's chapel was still connected with the Chancery; and it is probable that the chancellor, when an ecclesiastic, was the king's chief chaplain. It does not follow, however, that an ecclesiastic was always selected as chancellor or keeper of the seal. John de Lexinton does not appear to have been so, being never so designated, nor having any clerical preferment or dignity; and Richard de Middleton certainly was a layman, as there is a record of a fine paid by him and *his wife* for an assise to be taken before a justicier.[1]

There are many entries on the close rolls from the 3rd to the 10th year of this reign, when those which are published terminate, showing the connection between the king's chapel and the Chancery. Payments are made for wax used in the sealing of the writs, and for furniture of the chapel, &c., to Godfrey Spigurnell and others, who are sometimes called "servants of our chapel," and sometimes "servants of our Chancery."[2]

King Henry, during the first two years of his reign, had no great seal, the seal of William Mareschall, Earl of Pembroke, the rector of the kingdom, being used instead. In 3 Henry III. the king's seal began to run. When the king

[1] Excerpt. e Rot. Fin. 53 Henry III., ii. 492.

[2] Rot. Claus. i. 387. 410., ii. 48. 143., &c.

went abroad, another seal, called the seal of the Exchequer, was used. In 44 Henry III., a new seal was made, and the old one being broken up, the pieces were ordered to be given to some poor religious house.[1]

We now come to the office of chief justiciary, which, though it continued in full power during the earlier years of this reign, was altogether annihilated before its termination. The list of those who filled it, as inserted in Dugdale's Chronica Series, is very incomplete and unsatisfactory. He commences with William Mareschall, Earl of Pembroke; but his appointment was that of governor of the kingdom, or regent, during the king's minority. There is no evidence to show that HUBERT DE BURGH, who was chief justiciary at the death of King John, and was then defending Dover Castle against the assaults of Prince Louis of France, was for a moment removed from his position. On the contrary, there is a mandate addressed to him with that title on November 20, 1216, less than a month after the accession of Henry III.; and there are many other records so designating him during the years that intervened previous to the death of the earl marshal.

Hubert de Burgh's removal from the office on July 29, 1232, 16 Henry III., and STEPHEN DE SEGRAVE'S appointment to it, are precisely ascertained; but the name of the immediate successor of the latter, when he was ejected in April, 1234, 18 Henry III., is involved in some doubt.

Dugdale, by the palpable perversion of a passage in Matthew Paris, introduces Simon de Pateshull as chief justiciary in 17 Henry III.; and on the authority of the same passage, places his son, Hugh de Pateshull, in the office in the following year, not mentioning any other till the appointment of Hugh Bigot in 41 Henry III.

[1] Rot. Pat. 44 Henry III., m. 2.
[2] Rot. Claus. i. 294.

The passage in question, however, gives no such information with regard to either father or son. Following an account of the disgrace of Peter de Rivallis and Robert de Passelewe, who were at that time, 18 Henry III., treasurer and deputy treasurer of the Exchequer, it proceeds in these words; "Rex autem fretus consilio saniori Hugonem de Pateshulle clericum, filium videlicet Simonis de Pateshulle, qui *quandoque* habenas moderabatur totius regni, Justiciarii, virum fidelem et honestum, *loco prædictorum*, quamvis renitentem, subrogavit." It then goes on to state that Hugh had already filled a responsible office in the Exchequer, in keeping the seal and receiving the sheriff's dues.

That part of the passage in which Simon is mentioned, it will be seen, is only introduced parenthetically, and the "quandoque" in it would apply as well to one time as another. He stood high among the justiciers in the reign of King John, but is never mentioned as chief; and he was certainly dead long before this period.

Hugh's appointment, according to the palpable construction of the passage, was not to the office of chief justiciary, but to that of treasurer. This is corroborated by a patent dated June 1, 1234, 18 Henry III., the period in question, granting the office of treasurer to Hugh de Pateshull; which, there is further evidence to show, he still continued to hold at least four years afterwards[1]; and he is never called chief justiciary on the rolls.

Spelman, who introduces into his list Hugh de Pateshull, but not Simon, on the authority of the same passage, mentions two others before he comes to Hugh Bigot. The first of these is Philip Luvel, clerk, for whom he acknowledges he has no authority; nor does he mention on what the report that he held the office is grounded. He was con-

[1] Madox's Exch. ii. 35. 255. 317.

stituted treasurer a few years afterwards, and was turned out of that office by the barons in 1258. There is no pretence for calling him chief justiciary.

The other is John Mansel, Provost of Beverley, on the sole authority of Fabyan, who states that he was made "chefe iustyce of Englande"[1] in 1257; so designates him in enumerating the twelve peers who were appointed on the king's part at the parliament of Oxford, in June, 1258; and adds, that he was shortly afterwards discharged from his office, and Hugh Bigot substituted for him. This isolated testimony would in no case be allowed to preponderate over all the other accounts of Mansel's life, none of which even hint that he ever held such an appointment. It is, however, clearly disproved by Mansel's own signature to a patent of May, 1258, 42 Henry III., in which he is described simply as treasurer of York. In another, of June 22, the king addresses him in the same manner; the former charter being before, and the latter after the meeting at Oxford.[2] That the title of Justitiarius Angliæ would not have been omitted if he had held it, is shown by its being added to the name of Hugh Bigot at the latter date, as well as to those of Hubert de Burgh and Stephen de Segrave, in the earlier years.

Thus it would appear that from the removal of Stephen de Segrave in April, 1234, 18 Henry III., to the appointment of Hugh Bigot at Oxford in June, 1258, 42 Henry III., a period of twenty-four years, there was no chief justiciary. This circumstance may perhaps have influenced Dugdale in commencing the division of the Courts of King's Bench and Common Pleas at the former period, by then separating his lists of the judges of the two courts. It will be afterwards shown that, according to the arrangement which he makes, this division could not have been completed at that time.

[1] Fabyan's Chron. ed. 1811. p. 243.

[2] Brady's Engl. i. App. 215. 220.

HUGH BIGOT was appointed chief justiciary on or a few days previous to June 22, 1258, being so called in the patent of that date, committing to him the custody of the Tower of London. He continued to perform the functions of the office till the end of the year 1260, when, whether on account of one of the Oxford provisions, enacting that the great officers of state should be annually changed, or for some other reason, he retired.

HUGH LE DESPENSER was then selected by the barons to supply his place.

In July, 1261, 45 Henry III., the king reassumed his authority, and nominated PHILIP BASSET chief justiciary; and for a short time the two justiciaries acted separately for their respective parties. An arrangement, however, having been effected between the king and the barons in the following April, Philip Basset was established in the office, and during the king's absence in France from July to October, 1262, his name is attached to the royal mandates on the fine roll with that title; and also to the pleas before the king at Midsummer, 1263.[1]

This state of quiet did not long continue. In April, 1263, the barons' wars commenced; soon after which another accommodation was made, and Despenser was reinstated. An entry on the fine roll, dated October 1, 1263, 47 Henry III., is tested by him as "Justic. R. Angl."[2], and he is so called in a patent as late as the first week in May, 1265.[3]

Brady quotes three records, on May 10, June 7, and June 8, 1265, in which the Earl of Leicester is styled "Justiciarius;"[4] and during that interval no document occurs in which Hugh le Despenser uses the title. In Leland's Collectanea[5] there is an account of a short disagreement between them about this

[1] Madox's Exch. i. 100.
[2] Excerpt. e Rot. Fin. ii. 405.
[3] Madox's Exch. i. 71.
[4] Brady's England, i. 650, 651.
[5] Leland's Coll. ii. 378.

time; during which *it is possible*, but not likely, that the one threw up the office in anger, and the other assumed it for the time, that it might not appear to be vacant. If, however, for that may be doubtful, the word really meant the same as "Justiciarius Angliæ,"[1] by which Bigot, Basset, and Despenser had been specially designated, the title could have been merely nominal, and was undoubtedly only temporary, for the earl never acted, and Hugh had resumed it before the battle of Evesham, on August 4, when he fell by the Earl of Leicester's side.

Philip Basset does not appear to have been re-appointed after that event; and indeed there is nothing to show that the office was filled up in the interval between the battle of Evesham and March 8, 1268, 52 Henry III., when a new title was given to the head of the king's court, by the appointment of ROBERT DE BRUS as "Capitalis Justiciarius ad placita coram Rege tenenda;" or, as we now style it, chief justice of the king's bench.

Both Hugh Bigot and Philip Basset had had a yearly allowance of one thousand marks for their support as chief justiciaries: but Robert de Brus, in the year after his appointment as chief justice, had the grant of a salary of one hundred marks only.

This latter salary, or something like it, thus becomes one criterion by which we may distinguish several individuals, although not named in any record by the actual title of chief justice, as having presided in one court or the other during this reign; the allowance to the other judges never exceeding

[1] That the "Justiciarius" attached to De Montfort's name in these instances did not mean Justiciarius Angliæ, may be concluded from his using it on January 17 and April 16, 1265, 49 Henry III., when Hugh le Despenser was clearly acting in the latter office. On May 18 he does not use the title, though he had done so on May 10; and he does use it on June 7 and 8; but in the body of the latter record he is called "Senescallum Regis;" while on June 28 it again appears. See Rymer's Fœd. i. 450. 454, 455, 456, 457.

40*l.*, and sometimes being limited to 20*l.* per annum. There are other circumstances also which prove that several held a high, if not the highest, place in the court, where the opportunity of judging from the salary does not occur. It will be interesting, therefore, to trace in order of time those who are known from one cause or other to have been placed in a prominent position.

MARTIN DE PATESHULL, during the chief justiciaryship of Hubert de Burgh, evidently held a very high place, being at the head of every commission to which he was attached in 9, 10, and 11 Henry III., 1224–7. He died in 1229.

ROBERT DE LEXINTON, even before the removal of Hubert de Burgh from the office of chief justiciary, stood at the head of his associates; but in July, 1234, 18 Henry III., about two months after the retirement of Stephen de Segrave, three justiciers are ordered to be admitted to the bench by him and William of York: apparently proving that he was then the head of the court; a position which is further evidenced by the place he held in all the subsequent iters during his continuance on the bench, viz. till 1243, 27 Henry III., when he retired, having sat there about twenty years.

Of THOMAS DE MULETON, to whose name Dugdale, in noticing him in 1236, 20 Henry III., as a "Justiciarius de Banco," adds the words "Capitalis ut videtur," it may be remarked that he is not mentioned in a judicial character after this date; and that, though he was at the head of several circuits in some of the previous years, yet the position held at the same time by Robert de Lexinton creates a difficulty in assigning so high a station to him; unless, indeed, they presided in two branches of the court, though Dugdale places them both in the Common Pleas. He died in 1240.

WILLIAM OF YORK, we have seen, was second to Robert de Lexinton in July, 1234: but in the circuits which took place in 1240, 24 Henry III., he was at the head of that

which comprehended the northern, while Robert de Lexinton presided over the southern counties, which looks as if he had supplied the vacancy made by Thomas de Muleton. He became Bishop of Salisbury in 1246.

HENRY DE BATHONIA, who had sat on the bench from Midsummer, 1238, 22 Henry III., after twelve years of service raised himself to the head, and in 34 Henry III., 1250, sixteen years after the retirement of Stephen de Segrave from the office of chief justiciary, had a salary of 100*l.* a year for his support "in officio Justiciario." It will be observed that the word "Capitalis" is not used, nor is the court designated; but Dugdale places him in the Common Pleas. If this appropriation is correct, he must have changed his court after his temporary disgrace, as there is an entry on the patent roll of 37 Hen. III., 1253, addressed "Henrico de Bathon et sociis suis, justiciariis assignatis ad tenendam placita coram Rege."[1] There is nothing decisive to show that on the appointment of Hugh Bigot as chief justiciary in 1258, he was removed from his place; and there is evidence of his acting in a judicial character within a few months of his death, which occurred in January or February, 1261, 45 Henry III.

An allowance of one hundred marks was made to ROGER DE THURKILBY in 43 Henry III., 1258. He had been a judge from Midsummer, 1240, 24 Henry III., and on October 3, 1258, he and two others were assigned "ad tenendum Bancum Regis" at Westminster, till the king more fully regulated that bench: and on the 29th of December following, the grant of one hundred marks annually was made to him as "residens ad Bancum;" the word Bancum, it would seem, referring to the "Bancum Regis," which he had been appointed to hold. Unless Henry de Bathonia was removed before his death, in 1261, this allowance may

[1] Manning's "Serviens ad Legem," 298.

have been made to Roger de Thurkilby as *second* judge of the court, while that of the chief was 100*l.* He died in 1260.

In December, 1261, about ten months after Henry de Bathonia's death, an annual allowance was assigned to several judges, at the head of whom is WILLIAM DE WILTON, who had been on the bench since 1247. To him was given 100*l.* per annum, "ad se sustentandum in officio *justiciariæ*," but with no note of what court. Looking, however, to the fact that Philip Basset was then chief justiciary, and to the same words being used in the subsequent grant to Gilbert de Preston, it seems probable that he presided in the Common Pleas. He was killed at the battle of Lewes, May 14, 1264, 48 Henry III., where he fought for the king.

Some authorities[1] have described HENRY DE BRACTON as chief justice, but I find nothing to warrant the assertion. It is possible, however, that in the interval between August, 1265, when Hugh le Despenser, the chief justiciary, was killed, and March, 1268, when Robert de Brus was appointed, Henry de Bracton may have filled the vacancy till his own death, which happened, it would seem, just previously. He had certainly then sat on the bench for seventeen years.

From a writ addressed to "NICHOLAS DE TURRI and his companions, justiciaries," in 51 Henry III., 1266–7, directing a process which had been commenced *before them* against an officer of the Exchequer to be removed into the Exchequer, it would seem probable that he was then at their head, though no entry appears of any increase to the salary of 40*l.*, which had been assigned to him five years previously. He died about 1270; but must therefore have been previously superseded in his office, if he held it, by Gilbert de Preston.

[1] Bale; Biog. Britan.; Lord Ellesmere in his argument on the Postnati, State Trials, ii. 693.

The grant already mentioned of one hundred marks to ROBERT DE BRUS expressly as chief justice of the King's Bench, is the next that occurs.

In the same year, 53 Henry III., 1268, GILBERT DE PRESTON had a similar allowance of one hundred marks "ad se sustentandum in officio justiciarii," so that we may reasonably presume that he was chief justice of the Common Pleas, though the title was not yet introduced.

Both Robert de Brus and Gilbert de Preston, as far as appears, retained their places till the end of the reign.

TABLE OF CHANCELLORS AND KEEPERS, omitting those who had the mere temporary custody of the Seal during their occasional absences; and of the CHIEF JUSTICIARIES, and probable CHIEF JUSTICES.

A.R.	A.D.	Chancellors and Keepers.	Chief Justciaries and Chief Justices.
I.	1216, Oct. 28	Richard de Marisco, Bishop of Durham, *Chanc.*	Hubert de Burgh, *Just. Angl.*
IX.	1225	—	? Martin de Pateshull, *Ch. Just.* Ob. 1229.
X.	1226, May 1	died. Ralph de Neville, Bishop of Chichester, *Chanc.*	
XVI.	1232, July 29	—	H. de Burgh removed. Stephen de Segrave, *Just. Angl.*
XVIII.	1234, April	—	Removed.
	July	—	? Robert de Lexinton, *Ch. Just.* Retired, 1243.
XX.	1236	—	? Thomas de Muleton, *Ch. Just.* Ob. 1240.
XXII.	1238, August	? Simon Normannus, *Keeper*	
XXIV.	1240	? Richard Crassus, Abbot of Evesham, *Keeper*	? William of York, *Ch. Just.* Made bishop, 1246.
XXVIII.	1244, Feb. 1	Ralph de Neville died.	
XXIX.	Nov. 14	Silvester de Everdon, *Keeper.*	
XXXI.	1246, Nov. 8	John Mansel, *Keeper.*	
	1247, Aug. 28	John de Lexinton, *Keeper.*	
XXXII.	1248, Aug. 10	John Mansel, again *Keeper.*	
XXXIII.	1249, Sept. 8	John de Lexinton, again *Keeper.*	
XXXIV.	1250	William de Kilkenny, *Keeper.*	? Henry de Bathonia, *Ch. Just.* Ob. 1261.
XXXIX.	1255, Jan. 5	Henry de Wingham, *Keeper.*	
XLII.	1258, June 22	—	Hugh Bigot, *Just. Angl.*

TABLE OF CHANCELLORS, KEEPERS, ETC.—(*continued*).

A.R.	A.D.	Chancellors and Keepers.	Chief Justiciaries and Chief Justices.
XLIII.	1259, Dec. 29	Henry de Wingham, *Keeper.*	? Roger de Thurkilby, *Ch. Just.* Ob. 1260.
XLIV.	1260, Oct. 18	Nicholas de Ely, *Keeper*	Hugh Bigot retired.
			Hugh le Despenser, *Just. Angl.*
XLV.	1261, July 5	Walter de Merton, *Chanc.*	Philip Basset, *Just. Angl.*
XLVI.	Dec. 11	—	? William de Wilton, *Ch. Just.* Killed, 1264.
XLVII.	1263, July 12	Nicholas de Ely, *Chanc.*	
	Oct.	—	Hugh le Despenser, *Just. Angl.*
XLIX.	1265, Feb. 21	Thomas de Cantilupe, *Chanc.*	
	Aug. 4.		Killed.
		Walter Giffard, Bishop of Bath and Wells, *Chanc.*	? Henry de Bracton, *Ch. Just.* Ob. circa 1268.
LI.	1267	Godfrey Giffard, Bishop of Worcester, *Chanc.*	Nicholas de Turri, *Ch. Just.* Ob. circa 1270.
LII.	1268, Mar. 28	—	Robert de Brus, *Ch. Just. K. B.*
LIII.	Oct. 30	John de Chishull, *Keeper*	? Gilbert de Preston, *Ch. Just. C. P.*
	1269, July	Richard de Middleton, first *Keeper* and then *Chanc.*	
LVI.	1272, Aug. 7	died.	
		John de Kirkeby, *Keeper.*	

The King died November 16, 1272.

The date of the division of the courts into their present form has been a subject of long and constant discussion; and, as in most other mooted questions, additional difficulties have been thrown in the way of its decision by the want of a clear definition of the terms used in the argument. Sir Edward Coke, in affirmation of the principle he advocates, that the court of Common Pleas was erected before Magna Charta, quotes a dictum of the judges in the reign of Edward IV., that all the four courts "are the king's courts, and have been time out of memory of man, so as no man knoweth which of them is the most ancient."[1] If it be only meant here that common pleas, that is, civil suits, as well as criminal cases,

[1] Preface to 8th Reports.

and matters relating to the crown, were tried in the king's court before Magna Charta, the assertion is easily capable of proof; but, if it be intended to assert that a *separate* court for the trial of common pleas existed before Magna Charta, that is a point of controversy for the unravelling of which some investigation is necessary: and I trust that it will not be considered as any detraction from the authority of Sir Edward Coke as a lawyer to question his infallibility as an antiquary.

In noticing the passage in King Henry's great charter, wherein it is declared that "assizes of darrein presentment shall always be taken before the justices of the bench," Sir Edward adds, "and no man doubteth but *Justiciarii de Banco* are justices of the Common Pleas."[1] Certainly, no man can doubt that they were so when Coke penned that sentence, and for ages before also: but the real question is, was that the meaning of the words when they were introduced into the charter? Madox also, in speaking of the clause in the charter which ordains that common pleas "shall be held in a certain place," adds, "to wit, the Bank."[2] Both these learned authors seem thus to make themselves chargeable with begging the question; which is, whether a *Bench* previously existed, having a separate and distinct jurisdiction, under that particular name, for the trial of civil causes? and whether special judges were appointed for that purpose, distinct from the other judges of the Curia Regis?

Authors differ so much on the decision of this question, that it will not be uninteresting to consider the evidence on one side and the other: and the only mode of coming to a right conclusion, is to proceed in the order of time, and to clear the way as we advance.

Both previous to and at the period of the Norman Con-

[1] Preface to 8th Reports.

[2] Madox's Exch. i. 788.

quest, differences between private individuals were decided at the sheriff's tourn: and it was not till some time after the Curia Regis was established that private suits were removed into it. This could only be done by special mandate from the king, or by paying a fine to him for the privilege; and it is most probable that many years elapsed before the practice became common. The first example which Madox gives of the payment of such a fine, is in the great roll of 15 Hen. II.[1]

Until common pleas were removed to the Curia Regis, at whatever date the commencement of that removal took place, there could be no separate court for their trial: and, when it did take place, the next inquiry will be, whether they were heard in the Curia Regis itself, or in a new court, called the *Bancum*, or by any other name.

In speaking of Glanville's work, Madox at once admits that he does "not find that the *Bank* is mentioned as a court distinct from the *Curia Regis* in any other record or authentic memorial written before or in the reign of King Henry II.[2] Chief Justice Hale, also, says that he does not find "any distinct mention of the court of Common Pleas in the time of this king."[3] So that we thus appear to advance to the end of the reign of Henry II. without the establishment of any such court. But as Sir Edward Coke produces an authority which, in his opinion, evidences the existence of that court in, or even before, the reign of Henry I., it becomes necessary to investigate the subject from that period.

The reign of Henry I. commenced in the year 1100, and as this was little more than thirty years after the institution of the *Curia Regis*, it is not probable that the practice of removing civil suits into it was yet very generally adopted. Indeed, I do not recollect that the great roll of the 31st year of that reign contains any entry of a fine being paid for

[1] Madox's Exch. i. 96. 429.
[2] Ibid. i. 800.
[3] Hale's Hist. Com. Law, 140.

removing a civil suit to the superior court. I believe also that this roll, though it records numerous pleas in various counties, never refers to any such pleas being heard in the king's court at Westminster; and that the word justiciarius does not even occur in it. Neither does the charter of liberties granted by Henry I. introduce the word, nor make any mention of the trial of civil suits by the king's judges: but in one of his laws it is stated that "Regis Judices sunt Barones comitatus."[1] The Exchequer was a part of the Curia Regis; and the barons at this period were frequently called Barones de Scaccario; and it is curious that in the only instances produced by Madox of legal proceedings in this reign, except on the Iters, barons of the Exchequer are the parties acting or required to act.

King Henry commands Richard, Bishop of London (who was elected in 1108), to do full right to the abbot of Westminster against those who forcibly broke his church at Wutton in the night; and adds, that if he did not, "my barons of the Exchequer will cause it to be done."[2]

Another mandate is directed to Roger, Bishop of Salisbury, and the barons of the Exchequer, confirming a grant of 25*l.* out of the ferm of Exeter, made by the queen to the priory of the Holy Trinity in London, and commanding them to constrain the Sheriff of Devonshire to pay the same.[3] The Bishop of Salisbury, probably, was then chief justiciary; and as such president of the Exchequer.

And in 31 Henry I., an allowance of two marks is made to one Arnold "per considerationem Baronum de Scaccario."[4]

None of these have reference to civil suits, or Common Pleas: the first relates to a breach of the king's peace, and therefore is properly cognizable in his court: and the other two concern the revenue, the peculiar province of the Ex-

[1] Chauncy's Hertfordshire, 149.
[2] Madox's Exch. i. 209.
[3] Ibid. 179. 276.
[4] Ibid. 204.

chequer. But it is remarkable that in neither case is the word justiciarius introduced.

The contrary authority, quoted by Sir Edward Coke, is a case from the book of assizes of 26 Edward III., pl. 24, in which "the abbot of B." claimed conuzance of all pleas, &c., by prescription before the Conquest, and produced a charter of Henry I. confirming these usages, and further granting the same to him "adeo ut *neutrius Banci*, sive Assisarum, Justiciarius liceret interponere authoritatem suam:" which he translates "so that the justices of the one Bench, or of the other, or justices of assize, should not meddle."[1]

Without wishing to look too critically to the authenticity of this charter, it is impossible not to observe that it has never been produced in any subsequent publication, nor has the name of the abbey been mentioned. Its precise terms cannot therefore be known, nor any particulars connected with the grant. Well ascertained as it now is that charters to abbeys and religious houses were frequently forged for the purpose of supporting claims to lands and liberties[2], there is enough on the face of this to justify some doubt of its genuineness; which is not lessened by the fact that neither Lord Hale nor Mr. Madox thought it of sufficient weight, though well acquainted with Coke's argument, to notice it. Even if the charter be authentic, it remains to determine what was meant by the words "neutrius banci;" because, if Coke is right in presuming that one was the bench for determining civil suits, it plainly proves also that the word "Bench" was not solely applicable to the court devoted to them, but that it was equally used for the court in which the king's suits and criminal matters were heard; and, con-

[1] Preface to Coke's 8 Reports; Co. Litt. 71. *b*.

[2] A charter of confirmation by William I. to Westminster Abbey, cited by Dugdale in his Origines Juridiciales, 34., and now in the British Museum, turns out to be a forged one.

sequently, that the word "Bancum" was a general, and not a particular term. The suspicion of forgery can scarcely be avoided, when it is remembered that no other instance of the use of the word Bancum at this time can be produced, and that the itinerant justices were not called by the name of "Assisarum Justicii" till the reign of Edward I. But, whether this charter be genuine or not, it does not substantiate the position, that the place of trying Common Pleas, in the reign of Henry I., was called the Bancum.

The word "Justiciariis" began to be introduced in this reign among those to whom charters were publicly addressed.

The disturbed reign of Stephen affords no evidence touching the subject, except that the terms "Justiciarius" and "Baro" were then used synonymously. This is shown by the king's charter to Milo de Gloucester, wherein he covenants with him "sicut Baroni et Justiciario meo."[1]

We come again, then, to the reign of Henry II. His charter of liberties omits, as did those of his predecessors, all reference to a "Bancum" for the trial of civil suits. Neither do I find the word Bancum in any legal or state document of this reign: but in Glanville's "Tractatus de Legibus et Consuetudinibus Regni Angliæ," which was written about the end of it, there are three instances of the expression "coram Justiciis in banco sedentibus," or "residentibus." These words have not only been relied on as proving that there was a separate court with the designation, but in Mr. Beames' English edition they have been actually translated "before the justices of the Common Pleas." Looking, however, to the context, I cannot think that the passages justify such an interpretation; the simple meaning appearing rather to be, "before the judges sitting on the bench in open court:" as we should say now, "sitting in banco."

[1] Madox's Exch. i. 199.

The first occasion of Glanville's using the words is when he is speaking of a demandant or a tenant in a civil suit *in the Curia Regis* putting himself on the grand assize. He says, "if the demandant shall once agree *in Court* (in Curia) to put himself upon the assize, and shall so express himself before the judges sitting on the bench ('coram justiciis in banco sedentibus'), he shall not afterwards retract."[1] Here, the cause being in Curia Regis, it is evident that the "Curia" in the first part of the sentence is *that* court; and it seems almost absurd to suppose that after agreeing in one court, he should have to go into another to declare his consent.

The same remark may be made on the second passage, which occurs when describing the determination of pleas moved *in the Curia Regis* by a final concord entered into between the parties. This, he says, it is usual to recite "before the justices sitting on the Bench" ("coram Justiciis in banco residentibus"[2]); of course meaning the justices of the court in which the plea has been moved.

In like manner, the third passage: when, in treating of the appointment of an attorney (still in the Curia Regis), he says, that the party so appointing ought to be present "in Curia;" and adds, that it is usually done "coram Justiciis domini Regis in banco residentibus."[3] Surely it would be a perversion of sense to contend that any other Bench is intended than that before which the attorney is to act.

It seems, therefore, scarcely possible to interpret the word "Banco," as used in these passages, otherwise than with a general signification; and not as intending to designate any particular court.

Fines, or final concords, which are the voluntary terminations of suits between private individuals, were first

[1] Glanville, lib. ii. cap. vi.
[2] Ibid lib. viii. cap. i.
[3] Ibid. lib. xi. cap. i.

introduced in this reign. Very few are extant: and of those none earlier than 28 Henry II.; but all of them are acknowledged in the *Curia Regis* at Westminster, or at other places, Oxford, Melksham, Clarendon, where the court happened to be held; and they are all mentioned as having been made before certain persons therein named "et aliis *baronibus* et fidelibus Domini Regis;" except two or three, in which the term "baronibus" is omitted.

These final concords are all in civil suits; and this proof that civil suits were heard in the Curia Regis is confirmed, not only by numerous examples of payments being made for the privilege of suing and being sued there, but by the terms of all the writs introduced into Glanville's Treatise, in which the suit is described as being "in Curia mea," and the party is summoned "coram me vel Justiciis meis," or, in two instances, "coram nobis vel Justiciis nostris." The place of return is sometimes left in blank, but is generally at Westminster.

One of these final concords is stated to have been made "in Curia Domini Regis apud Westmonasterium *ad Scaccarium;*" and this is a frequent addition in the two next reigns. There is abundant proof that the *place* of trial of civil suits at Westminster was at the Exchequer; but it is equally clear that this was only the *place*, and not the *Court* in which they were tried. The very terms used above manifest that it was only the place at Westminster in which the Curia Regis sat. The *Court* of Exchequer was a constituent part of the Curia Regis, but still a distinct branch, confined to the revenue; and the instances adduced by Madox as proving that they were separate courts, because the rolls of certain counties distinguish the pleas of the Curia Regis from those of the Exchequer, most probably mean no more than that the latter were charges arising from breaches of the revenue laws, or from omissions of accountants to appear,

&c. Or, the difference of the titles may be perhaps susceptible of this explanation: "De placitis Curiæ" may mean the charges arising from the pleas in the court on the iter in that county; and "De placitis *ad* Scaccarium," those arising from pleas in the Curia Regis, determined as above mentioned *at* the Exchequer. This conjecture appears the more probable when we see that at the same time the distinction in other counties is more specially marked; as "De Placitis Walteri filii Roberti et sociorum ejus *in Essex;*" and then "De Placitis Curiæ per prædictos;" and in some cases "in Curia Regis."[1]

The form of the licence granted to private individuals was, that they should not be impleaded as to their lands, except "before the king," or "in the king's presence," or "before the king and his chief justice." The suits that were thus removed to the Curia Regis, were no doubt tried at the Exchequer; and it became a natural consequence that the entry on the roll would sometimes be "coram justicia ad Scaccarium," and sometimes shortly "ad Scaccarium."

It is curious that the entries on the rolls of this reign show that there was only one room or court at the Exchequer, called the "Scaccarium Baronum," or "Scaccario in Solio;" while those in the two following reigns of Richard and John prove that there were two rooms, the other being called the "Thalamus Baronum."[2] This would seem to show that the frequent removals of civil suits into the Curia Regis, which took place towards the end of the reign of Henry II., had rendered a second chamber necessary for their trial, in order that the proceedings with respect to the revenue might not suffer interruption.

This increase of the business in the Curia Regis no doubt led to the appointment of more judges; and we accordingly

[1] Madox's Exch. i. 83. 94. 103.

[2] Ibid. i. 192.

find that, when the council of Windsor, in 25 Henry II., 1179, introduced a new judicial arrangement of the kingdom, six were specially constituted "Justiciæ in Curia Regis, ad audiendum clamores [the suits] populi." It is observable that neither the Exchequer, as a court, nor any new court called the *Bancum*, is here mentioned, but simply the *Curia Regis*.

The reign of Richard I. affords examples of the same character as those already adduced under that of Henry II. The entries of fines paid for the removal of causes vary in expression; sometimes they are permitted to be "coram Justiciis," and "coram Justiciis ad Westmonasterium;" and sometimes "in Curia Regis," and "in Curia Regis ad Scaccarium."[1]

Final concords were levied also in the same form, sometimes in the "Curia Regis apud Westmonasterium," and sometimes with the addition of "ad Scaccarium;" but the persons before whom they were taken, even though "ad Scaccarium," are generally called "Justiciariis;" and sometimes with the addition "et aliis baronibus." An entry on the roll of the sixth year of the reign speaks of a proceeding before certain persons, "et aliis *Justiciariis* Domini Regis," who are afterwards referred to as "prædictis baronibus;"[2] both facts showing that the two words were often used synonymously.

The word *Bancum* nowhere occurs in a form indicating a separate court; nor can I find that Justiciarii de Banco are ever named during Richard's reign. But in the Rotuli Curiæ Regis, such expressions as "habet diem in banco," and "qui venerunt in banco," &c., now and then occur in the proceedings, which are plainly to be interpreted only in a general sense.

[1] Madox's Exch. i. 82, 213. [2] Ibid. i. 200.; Dugdale's Orig. Jurid. 92.

In the reign of King John the term Bancum, in connection with that of Justiciarius, is occasionally introduced. In calmly investigating the two or three forms in which they appear, it will be necessary to keep in mind that it had then become a common practice to remove civil suits into the Curia Regis; and secondly, that these suits had been theretofore usually tried at the Exchequer.

Several of the fines entered on the rolls of this reign are for general privileges to private individuals, and not for the removal of any particular cause. Some of these are that the parties may not be impleaded except "before the king," some "before the king or his chief justice," some "before the king or by the king's writ," and some "except in the presence of the king."[1]

Among the fines paid for removal of particular suits is one, in 2 John, for having a writ of summons "coram rege vel coram Justiciariis de Banco, Westm. utr. voluerit;"[2] and this is the earliest example I have been able to find of the use of the designation "Justiciariis de Banco."

Chief Justice Hale cites a case, also in 2 John, between Henry de Rochala and the Abbot of Leicester before the "Justiciariis de Banco,"[3] in which the abbot pleaded the charter of King Richard that he should not answer, but before the king himself, or his chief justice; and it was ruled that all pleas held before the justices of the Bench should be understood as being taken before the king or his chief justiciary. As this case was undoubtedly in the Curia Regis, the decision seems only to prove that the actual presence of either of them was not necessary, but that the ordinary judges on the bench of this court were all-sufficient.

[1] Madox's Exch. i. 117, 118.

[2] Rot. de Oblatis, 95.

[3] Hale's Common Law, 147. This case is recorded, with a slight variation of name, in the "Abbreviatio Placitorum," 32., the Introduction to which expressly states that those of this reign are taken from the Proceedings of the CURIA REGIS.

It is apparent that in both these instances the phrase "Justiciarii de Banco" is susceptible of a double interpretation: but one element is wanting which creates a difficulty in coming to a positive conclusion; viz. the absence of any definite proof of the existence of a court called the *Bancum*.

The real meaning, however, may be collected from the mode in which the words are used on other occasions at the same period. The Abbreviatio Placitorum contains a large collection of pleas of this reign, all taken from the proceedings of the Curia Regis: most of them are in private suits;—in fact, common pleas in the Curia Regis. The occurrence of the words, either separately or in connection, is anything but frequent; and the form of combination varies. The king, or his chief justiciary, often issues mandates to the judges of the court; sometimes using simply the word "justiciis;"[1] sometimes addressing them as "justiciis domini Regis de Westmonasterio;"[2] sometimes as "justiciis *in* banco;"[3] and sometimes as "justiciis *de* banco:"[4] and the instances of the two latter forms are confined to three each. Now it would not be easy to apply any other signification to the words "justiciis *in* banco" than the judges on the bench of the court in which the proceedings are clearly taking place, viz., the Curia Regis; and the substitution of the word "de" for "in" is hardly sufficient to vary the application, without some more satisfactory evidence that an independent court, called the Bancum, actually existed. Of the three instances of the use of the term "de banco," one is a mandate precisely the same as those in which the term "in banco" had been previously used; another occurs in the case cited by Lord Hale, above noticed; and the third is a command to the judges by the king to direct two duels to take place before him, "quia ea vult videre." I acknowledge that

[1] Abbrev. Plac. 50. 52. 71. 89.
[2] Ibid. 52.
[3] Ibid. 26. 31.
[4] Ibid. 27. 32.

I can see nothing in either of these expressions that leads me to suppose that they meant more than, simply, the justices of the court; viz. of the Curia Regis.

This interpretation seems to tally with the fact that civil suits still continued to be tried in the Curia Regis and at the Exchequer for many subsequent years: and Madox gives several instances as late as 13 John, of matters between private parties being determined at the latter.[1] Final concords, also, were still in the form previously noticed, viz. in the Curia Regis *at the* Exchequer: but it is to be remarked with reference to them, that up to the seventh year most of them appear to have been taken "before A. B. C. Justiciariis et aliis Baronibus;" but after that year the word "baronibus" is omitted, and "fidelibus" is invariably inserted in its place.

Proceedings "before the justices at Westminster" are spoken of in the second and third years of this reign; and in the sixth and seventh similar proceedings are mentioned "before the justices of the bench;"[2] with nothing to distinguish the phrases. In the ninth year the words are varied to "Justiciarii Regis de Curia."[3]

Among the patents of 3 John there is one, dated Feb. 15, 1202, addressed to "the Chief Justice of England and the Justices of the Bench," requiring *one or two* of them, who may be "Justices of the Bench," to assist the Archbishop of Canterbury in certain trials in his court. Any difficulty arising from these expressions is removed by a repetition of the patent on March 6, when the king addressed it to "his Chief Justice and his other Justices of England;" and ordered that *two of his justices* should attend the archbishop's court: and the latter address is used in another patent to them on March 11, on the archbishop's behalf.[4]

[1] Madox's Exch. i. 117. 217.
[2] Ibid. 790.
[3] Ibid. i. 100.
[4] Rot. Pat. 3 John, 6, 7.

In all these cases, the words "de banco" would seem to be used in a general sense; as they are, also, in the only other instance in the patent roll of this reign, when, in 16 John, the "justices of the bench" are commanded to admit a certain person to be attorney in a particular cause; as we have already seen in Glanville's work.

The great roll of 8 John contains an entry "de amerciamentis de banco," which probably means the same as those before described as "de Curia" and "ad Scaccarium." In 16 John this entry is repeated; and in both cases the name of Simon de Pateshull is connected with them.[1] Although there are many entries addressed to him "et socios ejus," showing that he held a high place among the judges, there is no record of his having been appointed chief of any separate court, nor is he ever even designated "justiciarius de banco." On the contrary, the king frequently calls him and his companions "justiciis suis;" and in 9 John there is an entry in which they are called "justiciarii de Curia." That he still continued a judge of the Curia Regis appears also by an entry on the great roll of 11 John: "Et hoc mandatum fuit Baronibus de Scaccario *a Curia Regis*, per Simonem de Pateshull."[2]

We now come to Magna Charta; which, as granted by King John, does not contain the reference to "Justiciarii de Banco," inserted in the charters of Henry III.: so that no argument can be founded on the words. But the charters of both kings contain this clause: "Communia Placita non sequantur curiam nostram, sed teneantur in aliquo certo loco." Here, Madox says, "by *Curiam nostram* may probably be understood the king's court holden in his palace; and by *aliquo certo loco*, the *Bank;*" and Sir Edward Coke declares that the charter "erecteth no court," but by that

[1] Madox's Exch. i. 791.

[2] Ibid. i. 606.

clause "giveth direction for the proper jurisdiction thereof." Sir Matthew Hale also asserts that the courts of King's Bench and Common Pleas were then distinct courts, and says that the rule before adverted to, that all pleas held before the justices of the bench shall be considered as held before the king or his chief justice, was afterwards settled by this clause in Magna Charta.

All these interpretations, it will be seen, are founded on the favourite hypotheses of their respective authors. In cases of doubt, however, and no one can deny that this is a question of doubt, it is the fairest course, first, to take the passage in its simple sense, and, before extrinsic circumstances are admitted into the discussion, to see whether it requires any explanation beyond its apparent meaning. The simple translation of the clause is, that "Common Pleas shall not follow our court, but shall be held in some certain place." No reference is made to the *Bank*, nor to any other court than the king's court, which is plainly the Curia Regis. The charter was avowedly for the redress of grievances; and one of the grievances then pressing most heavily upon private individuals was the delay and expense to which they were subjected by the necessity of following the king in his perpetual progresses when they had suits in his court. The remedy proposed for this was that these "Common Pleas" should no longer be compelled to follow the Curia Regis, in which they had theretofore been adjudicated, but should be held in some certain "place." If a separate *court* had been previously devoted to their trial, distinct from the Curia Regis, it may be fairly concluded that such *court* would have been expressly named, and that the simple and intelligible course would have been adopted of directing *that court* to be held in a certain place, rather than to order that the pleas over which it had jurisdiction should be so held. On the contrary, however, the pleas to be tried, the common pleas,

are expressly required *not* to be tried in the court where they had been usually heard, but in some other place.

The inference, then, which it is most natural to draw from the plain construction of the clause, is that common pleas were then tried in the Curia Regis, and that no such court as the Bancum then existed. It will be presently seen how far the use of the words "justiciarii de banco," introduced into two subsequent clauses of Henry's charter, offers any contradiction to this view.

It is not to be forgotten that though justiciarii de banco have been spoken of generally, yet that up to this time no individual judge is ever so designated, either in contradistinction to any other judge of the king's court, or in any other manner: and it must also be remembered that the word *Bancum* is always applicable, as well to the Court of King's Bench, as to the Court of Common Pleas; the former, when spoken of in legal documents, even at a later period, being called "Bancum nostrum," or "Regis," and the other, not "Bancum" alone, but "commune Bancum."[1]

Looking, then, to the whole evidence, and to the arguments adduced by the partisans on each side of the question, I feel forced to adopt the conclusion to which Lord Bacon arrived, that the Court of Common Pleas was not divided from the principal court until after the charter of John.

The progress with regard to civil suits seems to have been this. At the time of the Conquest, the ordinary and regular place for their trial was the sheriff's court. They were then allowed, on the payment of a fine, to be removed into the Curia Regis; but this was a privilege which at first would only be claimed by a few. Gradually, however, the advantage of having judges who had no local prejudices was felt, and the practice became common. The business of the

[1] Madox's Exch. i. 798.; Pas. Communia, 18 Edward III.

Curia Regis consequently increased so much that, in the first place, itinera or circuits were appointed to relieve it, to try common pleas as well as pleas of the crown, in the counties where the differences arose; and next, it was found necessary to nominate legally-educated men to take those duties at the principal court, which, from other occupations and the increased complexity of the proceedings, the barons, who were the original administrators of the law in the Curia Regis, were no longer competent to perform. The immense accession of business which was thus occasioned would necessarily make the sittings of the court more frequent, and would often compel the judges to divide themselves, so as to sit, probably, in two different chambers. The Exchequer seems to have been the place where common pleas were usually heard when the court sat at Westminster. But it is evident, from a comparison of Mr. Hunter's list of the justices before whom fines were levied (and they were essentially of a private character), that no particular judges were devoted to this duty, but that all the judges of the Curia Regis took their turns in its performance. No complaint of this system occurred before the reign of John, up to which time the court generally sat at Westminster; but then, whether arising from the great increase of business, or, more probably, from the practice which that king introduced of travelling about with his judges at his heels, and holding his court at twenty different and distant places in a year, the inconvenience to the parties, both rich and poor, who had causes in the court, became intolerable, and required the remedy which the charter professed to give; which was, that they should no longer follow the king's court, but be tried in a certain assigned place, known to all, and to which all men could resort without inconvenience.

Whatever was the new system so established by Magna Charta, it clearly was not carried into effect during the short

remainder of the reign of King John, who, immediately after signing it, repudiated its provisions.

Neither, it may be presumed, was the remedy applied till after the ninth year of Henry III., whose charter of that date contains the same clause. Had any change occurred in the interim, some notice would probably have been taken of it; inasmuch as it is evident, from the introduction into two subsequent clauses of the Justiciarii de Banco, who had not been alluded to in John's charter, that the subject had been considered.

The first of these clauses is, that recognitions of novel disseisin and of morte d'ancestor shall be tried in their proper counties by justices sent into them once a year; but that "those things which cannot be decided by the said justices on account of their difficulty shall be referred to our justices of the bench and there determined."

The second is, that assizes of darrein presentment shall be always taken before "our justices of the bench."

If any separate court called the Bancum had been previously mentioned, the designation "Justiciarii de Banco" would of course apply to it: but in the absence of such express mention, there is more than a probability that the words simply mean that questions of difficulty must be decided by the judges on the bench of the superior court. It is not fair to found the argument that the court of Common Pleas was intended, upon the fact that these particular pleas were subsequently triable there; because it is indisputable that, up to that time, they had been tried in the Curia Regis, or at the Exchequer; and the enactment must have applied to whatever was then the practice.

The probability is, that the arrangement was progressive, and that the actual and complete division of the courts in their present form was not finally settled till some years afterwards. Several instances occur in the reign of Henry III.

of common pleas being still brought in the Curia Regis. Pleas of the crown, also, were holden before "Justices of the Bench" as late as 10 Henry III.[1]; and it seems a much more natural inference to draw from this that the words "Justices of the Bench" were used in the general sense of justices of the court, than that a new court, the special foundation of which is stated to have been for the trial of private suits, should be employed in a duty so foreign from its professed object. Other examples of the use of these words in a general sense in 11 and 21 Henry III. will be presently brought forward. There is evidence that the court still retained its name in 35 Henry III.[2]; which seems to establish that, even at that late period, the complete division of the courts was not effected.

It may readily be presumed that the state of transition before the final settlement was completed did not pass without various experiments. I have already shown that, after the resignation of Stephen de Segrave in 1234, until the appointment of Hugh Bigot in 1258, 42 Henry III., the office of chief justiciary was vacant. The second requisition then made by the barons for "such a justiciary as would do justice to such as suffered wrong, as well to the poor as the rich," may be interpreted in two ways. If the office had been full, it might mean that the person then holding it would not do justice; but the silence of the records and of the best historians as to any one then bearing that title, supports the other interpretation of which the requisition is susceptible, viz., that the office was then vacant. The immediate appointment of Hugh Bigot by the council is a manifest proof that the absolute division had not then taken place. There is no mention of two courts in the ordinances of Oxford, although the administration of the law came

immediately under consideration; and it is observable that they only speak of one justiciary, while they lump all the other justices together. The attempts to introduce a new plan founded on the spirit of Magna Charta had probably as yet led to no definite arrangement, so that the barons, and perhaps the people, were dissatisfied, and insisted on the revival of the old judicial officer.

Some of the attempts during the progress of the change may be seen in the Rotuli Finium of this reign, which, while they exhibit several alterations in the mode of issuing writs for the trial of private causes, or common pleas, at the same time enable us to correct and amplify the only list of the judges of this period which has been published, being that contained in Dugdale's Chronica Series.

These rolls are crowded with entries of payments for writs in causes between private parties. In the earlier years some are directed to be taken before the justices itinerant at their first assize in a particular county; and others before the "justices at Westminster" generally, with no words distinguishing any particular court. In 4 Henry III., the words "Justices of the Bench" begin to occur in these writs; and for some years the two expressions are used indiscriminately. Sometimes the word "Justices" appears alone, and sometimes the expression "coram Banco:" and from 10 Henry III. the writ of pone is often granted without stating before whom.

About this time assizes were frequently directed to be taken before four individuals, apparently resident in the county where they were to be tried, but, with some few exceptions, not otherwise connected with the law. That they were not justices itinerant appears from the fact that instances occur in which these assizes are ordered to be put off till the justices itinerant come into those parts. In 13 Henry III. frequent payments are made by parties for having "*four Justices* to take an assize of novel disseisin,"

or, as it is sometimes expressed, "*four knights.*" This became very common about 18 Henry III., and continued till about 28 Henry III.

Another plan was introduced in the former of these years: that of naming in the writ regular justiciers before whom the assize was to be taken. The practice, however, was not completely adopted till 28 Henry III., only seven writs being so addressed in the intervening years; but the rolls of two of those years, the 21st and 22nd, are lost.

From 28 Henry III., then, an opportunity is afforded from the multiplicity of these writs, of seeing who acted as justiciers at the same time, and of supplying many deficiencies in the former list. All the justiciers whose names appear in Dugdale have writs directed to them, except seven; but in several instances the entries show that the justiciers named by him began to act at an earlier date than he has assigned to them.

The seven mentioned by Dugdale, whose names do not occur in the fine roll, are

Thomas Basset,
Harvey de Borcham,
Fulco Fitz-Warine,
John de Gatesden,
James de Paunton,
William de St. Omero,
Alan de Zouche.

Of these it is very doubtful whether Thomas Basset or Alan de Zouche were ever justiciers; and there is no sufficient authority for supposing Fulco Fitz-Warine to have been one. James de Paunton died shortly after his appointment, as probably did John de Gatesden also. Of William de St. Omero nothing is reported in this reign, except the grant of his salary of 40*l.*, though there is evidence of his acting under Edward I.; and Harvey de Borcham is never mentioned after 49 Henry III., when fines were levied before him, till the first year of the next reign, when he was a baron of the Exchequer.

Several of those whom Dugdale notices only as justices itinerant were apparently regular justiciers; that is to say, if these entries on the fine roll prove them to have been so. The following are in this condition, and have writs for assizes before them in the years attached to their names: —

John de Lexinton, in 32, 35, 36, 38, 39, 40, and 41 Henry III.
William de Breton, from 33 to 43 Henry III.
Henry de Bracton, or Bretton, from 34 to 51 Henry III.
Gilbert de Segrave, in 35 Henry III.
Peter de Percy, from 41 to 47 Henry III.
William de Englefield, in 49 and 50 Henry III.
Geoffrey de Leuknore, from 49 to 55 Henry III.
Richard de Hemington, from 49 to 54 Henry III.
William de Poywick, in 50 and 51 Henry III.
John de Oketon, from 53 to 57 Henry III.
Henry de Wollaveston, from 53 to 56 Henry III.
Thomas Trevet, from 53 to 55 Henry III.
Walter de Helyun, from 53 to 56 Henry III.
William de Weyland, in 56 Henry III.

In some few instances, perhaps, the writs might have referred to the iter to which a justice itinerant had been appointed; but this could not apply to a large majority, where they run over a number of years and are very numerous. A single glance at the list will show that some at least of those named were more than justices itinerant. Nicholas Trevet, the annalist, speaking of his father, Thomas Trevet, who is one of them, calls him "Justiciarium militem quendam, qui et justiciarius itineris fuerat ad coronam."[1] Unless there is any other signification for the term "justiciarium militem" than that of a regular justicier, the son's evidence would decide the question. Indeed he is, but erroneously, called by one writer Lord Chief Justice of England.[2]

But there are also, among those before whom assizes are to be taken, the following, who have not been inserted by Dugdale in his list either of justiciers or justices itinerant; al-

[1] Annales Nich. Trevet. 279.

[2] Hutchins's Dorsetshire, ii. 441.

though it is perfectly clear that they must be considered as belonging to the one or the other class. Their names are —

Jeremiah de Caxton, in 28 and 31 Henry III.
Robert Walerand, in 35, 36, 42, 43, 52, 53, 54, 55 Henry III.
John de Fraunceys, in 38 and 39 Henry III.
John le Moyne, in 50 and 51 Henry III.
Laurence del Brok, in 52 and 53 Henry III.
Adam de Cestreton, very numerously in 52 Henry III.
John de Reygate, from 53 to 55 Henry III.
Nicholas de Yattinden, in 54 and 55 Henry III.
Walter de Merton, in 56 Henry III.

Besides these, there are the six following,

Guido de Brionia,	John Sturmi,
Robert de Grendon,	William de Stuteville,
Robert le Sauvage,	Simon de Veer,

who have only one writ directed to each; but being associated in that writ with a regular justicier, they were probably added on some extraordinary occasions.

That Dugdale shared in the difficulty which all have felt in fixing the time when the division of the courts took place, is apparent from his arrangement of the judges in the Chronica Series. He does not commence his list of those, whom he calls of the Common Pleas, till the eighteenth year of the reign, which I shall presently show was either not the correct period, or, if it were, that his subsequent appropriation must have been erroneous.

But, first, let us see the position of the judges in the previous years.

At the death of King John, there were about eight or ten judges surviving, who continued to act under King Henry. Not one of these is ever called Justiciarius de Banco; but all of their names had been inserted in fines which had been acknowledged before them in this reign, except four; before whom, however, fines had been acknowledged up to the end of John's reign. Every one of the judges appointed between the first and the eighteenth year, about twenty-eight or thirty

in number, had fines levied before them; but none of them are designated Justiciarii de Banco till 11 Henry III.; unless Sir Edward Coke is right in saying that Martin de Pateshull received his appointment with that title in 1 Henry III.[1] I have not seen the patent; but neither Dugdale nor Madox so describe him.

There is a record in the Red Book of the Exchequer of an arrangement made by the king in 11 Henry III., as to removing the excommunication of the Bishop of Hereford from certain men of that city, which concludes with these words: "Hiis interfuerunt et consenserunt, Ipse Rex H. et H. de Burgo, Justiciarius;" that is, chief justiciary. Then follow the names of the chancellor and four other bishops; and next, "Justiciarii de Banco, Thomas de Muleton, Robertus de Lessington, Thomas de Haidon, Henricus de Braibroc," and afterwards barons and knights, of whom nine are mentioned, with some clerks and others.[2] There surely cannot be a doubt that the words "Justiciarii de Banco" here used mean merely the king's justices generally, and not justices of the Common Pleas. Neither can any other interpretation be given to the words with which the statute De Anno et Die Bissextili, 21 Henry III., commences: "Rex Justiciariis suis de Banco, salutem."[3]

The only other person who is called Justiciarius Regis de Banco before 18 Henry III., is Ralph de Norwich, who was so denominated in his appointment. Dugdale quotes Rot. Claus. 14 Henry III., m. 8. It is curious, however, that, so styling him, he should have deferred his division of the courts till four years afterwards; and it is still more curious that, beginning his list of judges of the Common Pleas in 18 Henry III., he should defer his list of those of the King's

[1] Pref. to 8 Report. He afterwards calls him Chief Justice of the Common Pleas; but even if he is right as to the patent, it will not bear that construction.

[2] Madox's Exch. ii. 335.

[3] Statutes at Large, i. 20.

Bench till 34 Henry III., a period of sixteen years; and that he should place every new judge appointed within that interval among the judges of the Common Pleas.

At the period first named, 18 Henry III., 1234, there were nine justiciers. Placed in their order of seniority or long service, they stood as follows: —

Stephen de Segrave, Chief Justiciary,

B. Robert de Lexinton,	B. Ralph de Norwich,
B. Thomas de Muleton,	F. William de Insula,
F. William de Raleigh,	F. Adam Fitz-William,
F. William of York,	F. William de St Edmund.

The letters B and F placed before these names indicate that they had either been previously called Justiciarii de Banco, or that fines had been levied before them; and if either of these facts prove that they were justices of the Common Pleas, it will be seen that the only judge of the King's Bench would be Stephen de Segrave.

Presuming, however, as we clearly must, that if the division had taken place this could not be the right appropriation of the names, and that some of them must have been of the King's Bench, let us see how the case would stand. Stephen de Segrave retired in the same year, and died in 1241. Thomas de Muleton died in 1240; William of York was made bishop in 1246; Ralph de Norwich and William de Insula did not act after 1234, Adam Fitz-William after 1236, William de Raleigh after 1242, nor William de St. Edmund after 1245; so that none of the nine survived or remained till 1250, except Robert de Lexinton, who died in that year. If, therefore, all those appointed justices between 1234 and 1250 were judges of the Common Pleas, as Dugdale places them, there must have been a considerable interval in which there were no judges of the King's Bench at all. It follows, necessarily, that he has not fixed upon the right period, or the real manner of the division of the courts.

Pursuing the enquiry from 34 to 42 Henry III., 1258, we shall find no more satisfactory result. The only judges whom Dugdale places in the Court of King's Bench in that interval, are Alan de Zouche (who, there is great reason to believe, was never a judge of either court) and Henry de Bathonia.

In the latter year, however, Dugdale quotes an entry from the patent roll, by which it appears that "Roger de Thorkelby, Gilbert de Preston, and Nicholas Handlo were assigned to hold the King's Bench at Westminster, until the king should more fully regulate the said Bench," "de eodem Banco plenius ordinaverit." This seems to indicate more than any previous fact the period at which the division of the courts took place. It was soon after the appointment of Hugh Bigot as chief justiciary.

Yet, with regard to the three persons here named, both Gilbert de Preston and Roger de Thurkelby are subsequently called Justiciarii de Banco; and the latter died two years afterwards, and Nicholas Handlo in 1270.

During the remainder of the reign the appointments to the King's Bench, according to Dugdale, were only eight; while those whom he calls Justiciarii de Banco were very numerous; so that, taking all the judges who were living at the date of the king's death, November 16, 1272, there remained, according to his arrangement, only four judges of the King's Bench, with nine judges of the Common Pleas. If the definitive arrangement of the courts had been then made, it is scarcely possible that this could have been the real division of the judges between them. Probably, therefore, some of those he inserts under the Common Pleas should have been carried to the King's Bench; or perhaps some of those Dugdale calls justices itinerant, whom I have already shown ought to have been included among the justices of Westminster, and some of those he has entirely omitted, may be added to the list, and the inequality be thus removed.

Considering, then, that in the early part of the reign the division between the Courts of King's Bench and Common Pleas was clearly not fully established, and the difficulty of fixing the precise period of its occurrence in the latter part, the most satisfactory course to be pursued in making a list of the justiciers, is to place them altogether, and affix a denoting mark against those who, either on account of their having been called Justiciarii de Banco, or because they have had fines levied before them, have been considered as belonging to the Court of Common Pleas.[1]

JUSTICIERS.

Those who have been called Justiciarii de Banco are marked B; those who have had fines levied before them in this reign are marked F.

Where the claim to be a regular justicier is doubtful, the mark ? is prefixed.

I. 1216–7.	Robert de Aumari, Geoffrey de Bocland, Archdeacon of Norfolk (F), William Briwer, Eustace de Fauconberg, afterwards Bishop of London (F),	John de Gestling (F), Ralph Hareng (F), Roger Huscarl, James de Poterna, Richard de Seinges (F).
II. 1217–8.	? William de Albini, Earl of Arundel (F), ? Alan Basset (F), Simon de Insula (F), Martin de Pateshull, Archdeacon of Norfolk, and Dean of St. Pauls (F),	Stephen de Segrave, afterwards Chief Justiciary (F).
III. 1218–9.	Maurice de Andeley (F), ? Hugh Foliot, Abbot of Ramsey (F), ? Geoffrey Gibbewin (F),	Thomas de Heydon (B), ? Robert de Neville (F), ? Benedict de Sansetun, Bishop of Rochester (F).

[1] In Rishanger's Chronicle of the Barons' wars, anno 1264, there is a passage showing evidently that the title Justiciarius de Banco was then commonly applied to all the judges, p. 22.

IV. 1219–20.	Robert de Lexinton (B).	
VII. 1222–3.	Geoffrey le Sauvage (F).	
VIII. 1223–4.	Thomas de Muleton (B).	
X. 1225–6.	Warin Fitz-Joel (F).	
XI. 1226–7.	Henry de Braybroc (B).	
XII. 1227–8.	William de Insula (F), Roger de Northwold, Abbot of St. Edmunds (F).	
XIII. 1228–9.	? Thomas de Camvill (F), William de London (F),	William de Raleigh, afterwards Bishop of Norwich and Winchester (F), Robert de Shardelow (F).
XIV. 1229–30.	Ralph de Norwich (B),	? Richard Reinger (F).
XV. 1230–1.	William of York, Provost of Beverley, afterwards Bishop of Salisbury (F).	
XVI. 1231–2.	Adam Fitz-William (B).	
XVII. 1232–3.	William de St. Edmund (F).	
XVIII. 1233–4.	Robert de Beauchamp (B), Reginald de Moyun (B),	Robert de Rockele (B), Robert de Ros (B).
XX. 1235–6.	William de Culeworth (F),	John de Kirkeby (F).
XXII. 1237–8.	Henry de Bathonia (F),	Hugh Giffard (F).
XXVI. 1241–2.	Jollan de Neville (F), Gilbert de Preston (B),	Roger de Thurkelby (B).
XXVII. 1242–3.	Robert de Esseby (F).	
XXVIII. 1243–4.	Jeremiah de Caxton,	John de Cobbeham (F).
XXIX. 1244–5.	Robert de Nottingham (F).	
XXX. 1245–6.	Alan de Watsand (F).	
XXXI. 1246–7.	Simon de Wauton (F),	William de Wilton (F).
XXXII. 1247–8.	John de Lexinton.	
XXXIII. 1248–9.	William le Breton, or Brito,	Henry de Mara.
XXXIV. 1249–50.	Henry de Bracton, or Bretton, Robert de Brus (B),	John de Gatesden (F), ? Alan de Zouche.
XXXV. 1250–1.	Giles de Erdington (F), Gilbert de Segrave,	Nicholas de Turri, Robert Walerand.
XXXVI. 1251–2.	Roger de Whitchester (F),	William Trussel (B).
XXXVIII. 1253–4.	? John le Fraunceys.	

XXXIX. 1254–5.	John de Caleto, Abbot of Peterborough (F), John de Cave (F),	Nicholas de Hadlow, or Handlo (F), Robert de Shottinden (F).
XL. 1255–6.	John de Cokefield (F),	John de Wyvile (B).
XLI. 1256–7.	Peter de Percy.	
XLIV. 1259–60.	William de Englefield.	
XLV. 1260–1.	Martin de Littlebiri.	
XLVI. 1261–2.	? Thomas Basset, William Bonquer (B),	Richard de Middleton (B).
XLIX. 1264–5.	Harvey de Borcham (F), ? Fulco Fitz-Warine,	Richard de Hemington, Geoffrey de Leuknore.
L. 1265–6.	Walter de Berstede (F), Adam de Greinvill (B),	John de la Lynde (B), John le Moyne, William de Poywick.
LI. 1266–7.	John le Bretun, afterwards Bishop of Hereford,	Robert Fulcon (B), Roger de Messenden (B), Henry de Monteforti (B).
LII. 1267–8.	Lawrence del Brok, Adam de Cestreton,	Roger de Seyton (B).
LIII. 1268–9.	Walter de Helyun, John de Oketon, John de Reygate, William de St. Omero,	Richard de Stanes, Thomas Trevet, Henry de Wollaveston.
LIV. 1269–70.	John de Cobbeham (B),	Nicholas de Yattinden.
LV. 1270–1.	Stephen Heym (F), Ralph de Hengham,	James de Paunton.
LVI. 1271–2.	? Walter de Merton,	William de Weyland.

It appears from the entries on the roll, that the judges took an oath of office on their appointment, and that it was administered before the treasurer in the Exchequer.

The salaries of the chief justiciaries and of the chief justices have been already stated. Those of the other judges in the earlier years of the reign we have little means of tracing; but we find that Ralph Hareng, Stephen de Segrave, and Simon de Insula, had each a sum of 100 shillings paid to them in January, 1218, 2 Henry III., and a like sum to them and to John de Gestling in the following July, "ad se sustentandum in servicio nostro," making therefore a

salary of 10*l.* a year. This seems to have been increased soon after, as in the following November, all of them, except Simon de Insula, had an addition of 6*l.*

It was not uncommon to reward the judges by grants of land; thus Roger Huscarl, who had been on the bench from 11 John, received in the sixteenth year of that reign certain lands in Kent "ad se sustentandum in servicio Regis, quamdiu Regi placuit": and having been moved in 7 Henry III. from the English to the Irish bench, had twenty-five librates of the land of the town of Baliscadam given to him for the like purpose. About the same time, 20*l.* a year were assigned to him from the Dublin exchequer.

In 8 Henry III., 1224, Benedict de Sansetun, Bishop of Rochester, had a donum of twenty marks as resident at the Exchequer; and shortly afterwards ten marks were allowed him for his support "dum moram facit ad Scaccarium nostrum."

The next entry is in 11 Henry III., 1227, when William de Insula and Richard Duket, who at this time, I think, were only justices itinerant, had ten marks a year out of the Exchequer. After this no other entry occurs till 23 Henry III., when William de Culeworth was allowed a salary of 20*l.*

There is then a great jump to 43 Henry III., when Gilbert de Preston had 40*l.* a year. In 46 Henry III., the like salary was given to Robert de Brus, Nicholas de Turri, Richard de Middleton, and William Bonquer. William de St. Omero had 40*l.* in 53 Henry III., and Roger de Seyton only 20*l.*, which was also the allowance made in the next year to Martin de Littlebiri, while John de Cobbeham had 40*l.* a year assigned to him.

In 55 Henry III., Ralph de Hengham and John de Cokefield had 40*l.* for their annual fee; but that of James de Paunton at the same time was only 40 marks: and in the

last year of the reign a salary of 40*l.* was granted to Richard de Stanes.

In order to estimate the real value of these salaries, they should each be multiplied by fifteen to show their amount in present money.

In this reign I find the first proof that the judges' robes were supplied at the royal expense. On the Close Roll of 51 Henry III. memb. 12., is the following entry; —"Mandatum est Ricardo de Ewell et Hugoni de Jurri, Emptori Garderobæ domini Regis, quod habere faciet dilectis et fidelibus suis Johanni de Breton et Henrico de Monteforti justiciariis suis ROBAS suas integras prout cæteris justiciariis domini Regis invenire consuevit, quamdiu steterint in officio domini Regis."[1] It is evident from this entry that the practice had prevailed for some time.

The first regular iter or circuit of this reign was in the third year, when most of the counties were visited by justices itinerant.[2] The commissions were in general headed by a bishop or abbot, with one or two of the justices of Westminster: the rest consisted of barons, knights, and clergy, selected from the counties to which they were appointed.

Commissions were also issued in 5 and 8 Henry III. over a few counties, and the iter of the latter year was rendered famous by the proceedings against Faukes de Breaute at Dunstable, and his seizure of Henry de Braybroc, one of the justiciers there.[3]

The Magna Charta of King Henry was granted on February 11, 1225, in the ninth year of his reign. Its twelfth chapter ordained that justiciers should be sent through every county once in each year, to take assizes of novel disseisin and morte d'ancestor. Accordingly, in the following June,

[1] Selden's Notes to Hengham Magna, 5.

[2] Rot. Claus. 3 Henry III., i 473.; Dugdale's Chron. Series.

[3] See post, *Faukes de Breaute.*

there were itinera into twenty-five counties under twenty different commissions, five of them comprehending two (united) counties each. Martin de Pateshull was placed at the head of nine of the commissions; Robert de Lexinton of six; and Simon de Hale and Richard Duket, who perhaps were also judges at Westminster, of the remaining five. In two or three instances another regular justicier was added, but all the others were barons, knights, or gentlemen holding offices in the counties in which they acted, with the frequent addition of a beneficed ecclesiastic. Indeed, in mentioning these associates, the record speaks of them as "quibus militibus comitatus tui."[1]

Similar commissions were issued in the three following years, and in the writs appointing the justices to the duty, they were required not only to take the assizes directed by the charter, but also to deliver the gaols of the counties.

The annual itinera were then evidently discontinued, and the circuits in subsequent years were at greater intervals in each county, though there was generally an iter into some of them in most years of the reign.

Commissions, however, to take assizes of novel disseisin and of morte d'ancestor, were frequently issued separately to persons of the county, who were not either justices at Westminster, or justices itinerant, but were called justices "ad hoc," and these separate assizes were often removed to the next general assize.[2]

Matthew of Westminster says that the justices itinerant in the latter part of the reign were restrained from going their circuits oftener than once in seven years[3]; and though upon taking the intervals between their visits to each county, that rule does not seem to have been strictly observed, there is an

[1] Rot. Claus. 9 Henry III. ii. 77.
[2] Rot. Claus. ii. 138. 151. 163.
[3] Lord Lyttelton's Henry II., ii. 208.

apparent approximation to it in several of the districts. The Monk of Worcester, in his annals of that church, records that in the year 1261, 45 Henry III., the whole county refused to admit the itinerant justices, because seven years had not elapsed since the justices sat there.[1] This disinclination for their presence may perhaps be explained by the not very flattering account which another monk, the annalist of Winchester, gives of those who sat in that city at Easter, 1263, describing them as "non quæ Regis sed quæ suæ quærentes."[2]

JUSTICES ITINERANT.

The names of those who had acted as justiciers previous to their nomination as justices itinerant are omitted; and the names of those who acted in more than one year are inserted only in the first.

III. 1218–9.

Gilbert de Abbingworth,
William de Albini, of Belvoir Castle,
John de Bayeux,
Faukes de Breaute,
William de Cantilupe,
Henry de Cobbeham,
William de Cressy,
Ralph de la Ferte,
Matthew Fitz-Herbert,
William Fitz-Roger,
Walter Foliot,
Ralph Gernum,
John Marescallus,
Walter Mauclerk, afterwards Bishop of Carlisle,
Thomas de Muleton,
Adam de Newmarket,
Walter de Pateshull,
Richard Poore, Bishop of Chichester, Salisbury, and Durham,
Walter de Ripariis,
Jordan de Sackville,
James le Sauvage,
Ralph Tablir,
William de Trumpington,
Maurice de Turvill,
Walter de Verdun,
William de Vernon,
Robert de Veteri-ponte,
Philip de Ulecot,
Hugh de Wells, Bishop of Lincoln,
Josceline de Wells, Bishop of Bath and Wells.
John Wighenholt,
Laurence de Wilton,
John de Winchestede.

[1] Angl. Sacr. i. 495.

[2] Ibid. 311.

IV. 1219–20.	Stephen de Ebroicis,	Robert de Vere, Earl of Oxford.
	Warin de Granden,	
	John de Monmouth,	
V. 1220–21.	Ralph Musard,	Simon, Abbot of Reading.
	Randolph, Abbot of Evesham,	
VIII. 1223–4.	Henry de Braybroc,	Ralph de Neville, Bishop of Chichester.
	Warin Fitz-Joel,	
	William de Houbrug,	
IX. 1224–5.	Herbert de Alencun,	Jordan Heyrun,
	William de Ambly,	John de Houton, Archdeacon of Bedford,
	Roger de Auntreseye,	
	John de Baalun,	William de Insula,
	Roger de Baalun,	Reginald de Kaune,
	Roger Bertram,	Richard de Kellesay, Abbot of Selby,
	Richard de Beynvill,	
	Nicolas le Boteler, or Pincerna,	Richard de Levinton,
		Alured de Lincoln,
	Hugh de Clahaul,	Ralph de Lydiard,
	Robert de Cokefield,	Roger de Merlay,
	Hugh de Droes,	Richard de Montfichet,
	Richard Duket,[1]	Jordan Oliver,
	Walter Duredent,	Peter, Abbot of Tewkesbury,
	Alan de Englefield,	
	Jordan de Esseby,	Adam de Porteseye,
	Henry le Evesk,	John de Reiny,
	Brian Fitz-Alan,	Walter de Romsey,
	Walter Fitz-Robert,	John de St. Helena,
	William Fitz-Rosceline,	John de St. John,
	Richard Fitz-Simon,	Richard de Stoke,
	William Fitz-Warine,	Theobald de Valoines, Archdeacon of Essex,
	Adam Fitz-William,	
	Robert Fitz-William,	Richard de Veym,
	William de Franchevill,	William de Waleis,
	?Bartholomew de Glanville,	John de Wauton,
		William de Welles,
	Simon de Hale,[1]	William de Wichinton.
	William de Haunsard,	
X. 1225–6.	William Basset,	Peter de Brus,
	Walter de Beauchamp,	John de Daivill,

[1] From the number of counties to which Simon de Hale and Richard Duket were jointly appointed, and the position they held at the head of all their commissions, it is not improbable that they were regular justices at Westminster.

X. 1225–6.	John Fitz-Robert,	William de Lancaster,
	Randolph Fitz-Robert,	Walter le Poer,
	Alexander de Holderness, Abbot of Peterborough,	Roger de Scarborough, Abbot of Whitby,
	Brian de Insula,	William de Tametone,
	John de Lacy, Constable of Chester, afterwards Earl of Lincoln,	Thomas, Abbot of Winchecumbe.
XI. 1226–7.	Fulco Baynard,	William de London,
	Maurice de Gant,	William de Sorewell,
	William de Hengham,	William of York, Provost of Beverley.
	John de Kirkeby,	
XII. 1227–8.	Hugh de Bolebec,	Stephen de Luci.
XIV. 1229–30.	Ralph Fitz-Reginald,	John de Ulecot.
XV. 1230–1.	William Loudham.	
XVI. 1231–2.	Walter de Cantilupe, afterwards Bishop of Worcester.	
XVII. 1232–3.	Henry de Tracy.	
XVIII. 1233–4.	Norman de Aresey,	Thomas Fitz-John,
	Adam de Ascwardby, Abbot of Bardney,	Simon de Furnellis,
		Robert Grimbald,
	Roger Bigot, Earl of Norfolk,	Jollan de Neville,
		Robert de Salceto,
	Ranulph Fitz-Henry,	Oliver de Vaux.
XXIV. 1239–40.	Warner Engaine,	Ralph de Sudley,
	Robert de Haya,	Roger de Thurkelby.
	Gilbert de Preston,	
XXIX. 1244–5.	Henry de Bracton, or Bretton.	
XXX. 1245–6.	Hugh Fitz-William,	Simon de Wauton.
XXXII. 1247–8.	William le Breton, or Brito,	Reginald de Cobbeham.
XXXV. 1250–1.	Silvester de Everdon, Bishop of Carlisle,	John Plessitis, Earl of Warwick.
	Adam de Hilton,	
XXXVI. 1251–2.	Henry de Coleville,	Simon de Trop.
	Robert de Ripariis,	
XXXVII. 1252–3.	Giles de Argentine.	
XXXVIII. 1253–4.	William de Spaldewick, Abbot of Colchester.	
XXXIX. 1254–5.	William de Cobbeham,	Geoffrey de Leuknore,
	William de Englefield,	Nicholas de Romesei.
XL. 1255–6.	Peter de Percy.	
XLIV. 1259–60.	James de Audley,	Hugh le Despenser,
	Humphrey de Bohun, Earl of Hereford,	John de Grey,
		John de Montealto,

XLIV. 1259-60.	John de Verdun,	
	John de Warenne, Earl Warren.	
XLV. 1260-1.	Adam de Greinvil,	Roger de Sumeri,
	Martin de Littlebiri,	Gilbert Talebot.
XLVI. 1261-2.	John de Aure,	Robert de Neville,
	Walter de Berstede,	William de Nottingham,
	Ralph Fitz-Ranulph,	William de Poywick,
	Richard de Hemington,	William de Staunton.
LII. 1267-8.	Reginald de Acle,	John de Oketon,
	Peter de Brus,	Richard de Stanes,
	Roger de Clifford,	John de le Strode,
	Matthew de Columbariis,	Thomas Trevet,
		Henry de Wollaveston.
	Walter de Helyun,	
LIV. 1269-70.	William de Boscehall,	Geoffrey de Neville,
	Peter de Chester,	Geoffrey de Upsale.
LVI. 1271-2.	Ralph de Marsh, Abott of Croyland,	Thomas de Weyland,
		William de Weyland.
	John de Spalding, Prior of Spalding,	
LVII. 1272.	Walter de Hopton.	

We have seen in the previous reigns the gradual retirement of the king's barons from the judicial duties of the Curia Regis, and the substitution of regular justiciers for them in the transaction of the legal business of the kingdom. It has been shown also that the title of baron was applied to the latter indifferently with that of justicier, and that both denominations were used when the pleas between private parties were heard before them at the Exchequer. In this reign further changes were introduced into that department, first by the provision of Magna Charta, which ordained that common pleas should be held in some certain place; and next, by the annihilation of the office of chief justiciary, the holder of which had been hitherto its president. That seat was then taken by the treasurer, and the style was altered from "the chief justiciary and barons," to that of "the treasurer and barons."

These changes, however, were very gradually accom-

plished; the trial of common pleas at the Exchequer still continued throughout the whole of this reign; but being found greatly to impede the king's business, to which the court was specially appropriated, an enactment was introduced into the Statutum de Scaccario, 51 Hen. III., 1266, directing that the treasurer and barons of the Exchequer should be charged by oath not to "attend to hear the pleas or matters of other men, while they have to do with the king's business, if it be not a matter that concerneth the king's debt."[1] And in October, 1270, 55 Hen. III., the king by his writ, reciting the hindrance occasioned by these common pleas, commanded the treasurer and barons of the Exchequer to "atterminate all pleas then pending before them, except such as concerned the officers of the Exchequer (who had a special privilege), before the justices of the bench, and to transmit to them the original writs and records of the pleas."[2] That these private pleas had been solely litigated in the Exchequer as a part of the Curia Regis, and not as a separate court, and that the two were then identically the same, there can be little doubt, as Bracton never specially mentions the Exchequer when describing the courts, and the *proprias causas regis*, which he speaks of as cognizable in the Curia Regis, particularly meant the government of the revenue.

It is evident that on the removal of Stephen de Segrave in April, 1234, 18 Hen. III., from the office of chief justiciary, and the non-appointment of a successor, a new arrangement of the Exchequer was contemplated, as in the following July we have the first instance of the nomination of persons to sit in that particular department. All the judges had previously sat there, and had been privileged, in exemption from assessments and otherwise, "per libertatem sedendi ad Scaccarium." Now, however, no less than three were named by royal

[1] 51 Hen. III., stat. v. cap. vii.

[2] Madox's Exch. ii. 73.

mandate, dated July 6, 1234, viz. William de Bello-Campo, Alexander de Swereford, and Richard de Montfichet. The terms of their appointment are peculiar, each of them being assigned to sit at the Exchequer "*tanquam* Baro," and their duty seems to be purposely limited to the peculiar business of the Exchequer, by the words "pro negotiis nostris quæ ad idem Scaccarium pertinent." [1]

Both William de Bello-Campo and Richard de Montfichet were then barons of the kingdom: the former had just previously been assisting the king in his Welsh wars, and the latter was at that time custos of the forests of Essex: so that their nomination as "*tanquam* Barones" was probably in reward for former services. That of Alexander de Swereford, however, was doubtless to secure the assistance of one intimately acquainted with all the affairs of the Exchequer, in which he had been a clerk for many years. Neither of the three appear to have been concerned in the judicial duties of the other courts; nor indeed were any of those specially named as barons, except John de Wyville, who sat in the Exchequer as one of the justices of the Jews, and afterwards became, according to Dugdale, one of the justices of the court of Common Pleas.

In Madox's list of the barons of the Exchequer after 18 Henry III., he includes the treasurers, the chancellors of the Exchequer, and the justices of the Jews: but I have not thought it necessary to insert any of these, unless they filled some other judicial office, coming within the scope of this work.

The office of chancellor of the Exchequer was not instituted until after the discontinuance of that of chief justiciary; and the holder of it seems to have been intended as a sort of deputy to the treasurer, and to relieve his labours when his

[1] Madox's Exch. i. 54.

duties were increased by becoming the president of the Exchequer. Madox, in speaking of John Mansel's appointment to a certain office, says, "I know not what office it was, unless it was that of chancellor" [of the Exchequer].[1] It is observable that he was appointed in July, 18 Hen. III., the removal of Stephen de Segrave as chief justiciary having taken place only in the preceding April. Mansel was then sent to reside, *i. e.* to sit in the Exchequer, and to have a roll of all things pertaining to the Exchequer. This was clearly a new office; but the name had not yet been fixed; and the first occurrence of it I find is in the retirement of Ralph de Leicester from the office in 32 Henry III.[2]

The justices of the Jews were looked upon as officers of the Exchequer, and had all the privileges attached to the position. No mention of them occurs in Madox before 10 Richard I., when Simon de Pateshull was one of them.[3] Their functions terminated on the expulsion of that people about 18 Edward I., 1290; but the office seems to have been in existence as late as the thirty-first year of that reign.[4]

BARONS OF THE EXCHEQUER.

XVIII. 1233–4.	William de Beauchamp,	Alexander de Swereford, Archdeacon of Salop.
	Richard de Montfichet,	
XXII. 1237–8.	Michael Belet,	? John Fitz-Robert.
XXV. 1240–1.	Ralph de Ely,	Peter Grimbald.
XXVII. 1242–3.	Richard de Barking,	Abbot of Westminster,
	John le Fraunceys.	
XXXII. 1247–8.	Edward de Westminstre.	
XXXV. 1250–1.	Richard de Crokesley,	Abbot of Westminster.
XXXVII. 1252–3.	Peter de Rivallis,	John de Wyville.
XLI. 1256–7.	Simon Passelewe.	
XLII. 1257–8.	Elerius, Abbot of Pershore,	John Reinger,
	John de Launfare,	Thomas de Wymundham.

[1] Madox's Exch. ii. 51.
[2] Ibid. ii. 52.
[3] Ibid. ii. 315.
[4] Ibid. ii. 324.

XLV. 1260–1.	Henry de Tracy.	
XLVIII. 1263–4.	Arnald de Berkeley,	Roger de la Leye.
XLIX. 1264–5.	Nicholas de Criol,	Alexander le Seculer.
	William le Mareschal,	
LII. 1267–8.	William de Grancurt.	
LV. 1270–1.	William de Clifford.	

Of the salary paid to the barons in this reign we have only a few examples. Soon after Alexander de Swereford's appointment, in 18 Henry III., he had forty marks per annum, and it was not increased in 27 Henry III. In 38 Henry III. John de Wyville had only twenty marks, but this, perhaps, was as justice of the Jews; and Roger de la Leye and William de Clifford had 40*l.* a year allowed, in 49 and 55 Henry III., each being at the respective times chancellor of the Exchequer.

During the troubles in 48 Henry III., the Exchequer, it seems, was deserted; and no barons being there to receive the revenue, the king, on November 1, 1263, assigned Roger de la Leye the remembrancer to fill the office of baron, and on the 30th of that month appointed him to execute the functions of treasurer and chancellor of the Exchequer, then vacant. Notwithstanding this, however, it appears that the half-yearly accounts were not rendered nor the king's rents and ferms paid at the following Easter.[1]

The king frequently presided in person in the Exchequer when engaged on the business of the revenue, especially when there was no chief justiciary; and in 34 Henry III. there is a record of his addressing the sheriffs on the performance of their duties, and fining several of them for their transgressions.[2]

The clergy, according to Dugdale, were prohibited from pleading in the secular courts by the constitutions of Richard

[1] Madox's Exch. ii. *55, 56.*

[2] Ibid. ii. 10.; Prynne on 4th Inst. *53.*

Poer, Bishop of Salisbury, in 2 Henry III.[1]; but Selden places the restraint at a later period of the reign, under a canon of the Synod of Tours in 1264, 48 Henry III.[2]

In Bracton, the practitioners of the law are termed counsel, pleaders, and advocates[3]; and Matthew Paris in speaking of them says that they were vulgarly called "Banci Narratores."[4]

The latter title is used in the memorandum of a complaint made "on Wednesday after the feast of St. Martin," 52 Henry III., by Robert de Fulham, justice of the Jews, to the treasurer and barons of the Exchequer. He stated that as he went into Westminster Hall on business relating to his office, Robert de Colevill, "Narrator de Banco," came and put violent hands upon him, taking him by the breast; and he prayed that amends might be done to him, he and his brother justices being "de gremio Scaccarii." The contumacious Narrator was brought before them, and at the instance of his brother "Narratores," the matter was accommodated by the offender coming "before the treasurer and barons, and before Gilbert de Preston and Roger de Messenden, justices of the bench then sitting in the Exchequer," his tunic ungirt, and head uncovered, and placing himself at the will of the insulted justice, as well in life and limb as in lands, tenements, goods, and chattels; whereupon the transgression was remitted and the offender admitted "ad osculum," to the kiss of peace.[5] This Robert de Fulham seems to have been disgraced in the following reign for malversation in his office.[6]

The first instance occurs in this reign of an advocate being regularly employed on the king's affairs. During fourteen years, from 38 to 52 Henry III., between thirty and forty

[1] Dugdale's Orig. Jurid. 21.
[2] Pearce's Inns of Court, 12.
[3] Serviens ad Legem, 170.
[4] Serviens ad Legem, 260.
[5] Madox's Exch. i. 236.
[6] Ibid. i. 361.

cases in the court are recorded, in which Lawrence del Brok pleads for the king, "sequitur pro rege." In the latter year he was raised to the bench.[1]

That schools were established in London for instruction in the laws of the kingdom before 19 Henry III. appears from a strict mandate then issued by King Henry to the mayor and sheriffs of that city prohibiting their continuance.[2] There is nothing that seems to warrant the suggestion which has been made, that the king's object in suppressing them was to encourage the establishment of inns of court in the suburbs; although it might probably lead to it: but it more likely arose from a political motive, and a wish to discourage the study.

The palace, now called Lincoln's Inn, was built in the early part of this reign by the chancellor, Ralph de Neville, Bishop of Chichester, and was appropriated by him for the town residence of his successors in that see. The place in which it is situate was first called New Street, but afterwards, from him, Chancellor's Lane; now converted into Chancery Lane. The name of the bishoprick is still preserved in that part of the estate called Chichester rents, which perhaps formed part of "the garden which was John Herleycum's *in* VICO NOVO *ante Novum Templum*," granted to the bishop on May 2, 1226, 10 Henry III.[3], by his royal master.

A few reported cases of the 4th, 19th, and 21st years of this reign are to be found in a work of David Jenkins, a Welsh judge in the time of Charles I., entitled "Eight Centuries of Reports of Eight Hundred Cases solemnly adjudged in the Exchequer Chamber, or upon Writs of Error." Neither judges' nor counsels' names are noticed.

[1] Abbrev. Placit. 129—174.; Excerpt. e Rot. Fin. ii. 467—469.
[2] Coke's Second Inst. Proeme. [3] Rot. Claus. i. 107.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF HENRY III.

ABBINGWORTH, GILBERT DE.

JUST. ITIN. 1218.

ONE of the justices itinerant into the counties of Sussex, Surrey, Kent, and Middlesex, in 3 Henry III., 1218, was Gilbert de Abbingworth, whose name also appears with that designation on fines levied at Westminster in that year; showing that the justices itinerant were accustomed to sit at Westminster. He was employed in the same manner in 9 Henry III., 1225, for Surrey[1]; and in the next year was at the head of those appointed to collect the quinzime of that county.[2]

ACLE, REGINALD DE.

JUST. ITIN. 1268.

REGINALD DE ACLE was Sheriff of Gloucester in 50 Hen. III., and so continued till the 56th year, when he was allowed to account by attorney. In 2 Edward I. he was directed to take that office into the king's hands, and commit it to a trusty person; and to go to the Exchequer to receive the king's commands thereon from the barons.[3] It was no doubt as sheriff that he was added to the list of justices itinerant in

[1] Dugdale's Chron. Series; Rot. Claus i. 76.
[2] Fuller's Worthies; Madox's Exch. ii. 68. 181.
[3] Ibid. 146.

53 Henry III., 1268, their commission extending over that county and five others.[1] In the same year he was custos of the bishoprick of Hereford.[2]

ALBINI, WILLIAM DE, Earl of Arundel.

? Justr. 1217.

This was the third earl of that name, being grandson of William de Albini, surnamed "with the strong hand," who obtained the earldom by his marriage with Queen Adeliza, the widow of Henry I., to whom the castle of Arundel had been assigned in dower. His father died in 1196, 7 Rich. I., when he paid 100*l.* for the relief of his lands in Norfolk. With King John he was in high favour, receiving many grants from him; and his almost constant attendance at the court is shown by the fact, that in every year of the reign, except the last, he was a witness to charters or other royal documents. In the earlier contests with the barons, he adhered to the king, and was present, as one of his friends, at Runnymede. Disgusted at last with the tyranny and bad faith of his sovereign, he joined Prince Louis of France on his arrival in England. His lands were immediately ravaged by the royal army, and his whole possessions seized by the crown; but they were restored to him after the death of King John, on his returning to his allegiance in the following July.[3]

His entire restoration to the good will of the king, or rather of the protector of the kingdom, is shown by several entries on the rolls, and particularly by his acting as a justicier in 2 Henry III., in which year a fine was levied before him at Westminster.[4] Roger de Wendover relates that in the same year, 1218, he proceeded to the Holy Land, and was at the siege of Damietta; and Matthew Paris adds that, in

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 484.
[3] Rot. Claus. i. 314.
[4] Dugdale's Orig. Jurid. 42.

1221, he died abroad, as he was returning from the crusade, and that his body was brought to England and buried at the abbey of Wimundham, of which he was a patron. His son William did homage for his lands on April 12, 1221, 5 Henry III.[1]

He is sometimes called Earl of Chichester; and, on one occasion, he signs himself William of Arundel, Earl of Sussex.[2] In 3 Henry III., 5 December, 1218, probably just previous to his embarkation for the Holy Land, the Sheriff of Sussex was commanded to pay him twenty marks out of the issues of the county, which he ought and was accustomed every year to have by the name of the Earl of Sussex.[3]

He married Maude, daughter of James de St. Sidonio, and widow of Roger, Earl of Clare. By her he left two sons, William and Hugh, who successively held the earldom, and died without issue; and several daughters, one of whom, sabel, married John Fitz-Alan, Lord of Clun (son of William Fitz-Alan, mentioned as a justice itinerant under Richard I.), to whom the castle of Arundel, with its appendant title, was apportioned, which has come down in lineal descent to its present possessor, the Duke of Norfolk.[4]

ALBINI, WILLIAM DE, OF BELVOIR CASTLE.

JUST. ITIN. 1216.

See under the Reigns of Richard I. and John.

SOME account of this family has been already given under *the reign of Henry I. in the notice of* William de Albini, *surnamed Brito, whose son, also of the* same name, but surnamed *Meschines, died in 1167, 14 Henry II.*, leaving by Adeliza, his first wife, this William, his only son and heir, then a

[1] Rot. Claus. i. 452.
[2] Rot. Chart. 14 John, 186.
[3] Rot. Claus. i. 383.
[4] Dugdale's Baron. i. 118.; Nicolas's Synopsis.

minor. In 2 Richard I., 1190–1, he was entrusted with the sheriffalty of Rutland, which he held during the remainder of that reign; in the course of which he was also sheriff of the united counties of Warwick and Leicester, and of Bedford and Buckingham. In 1194, 6 Richard I., he was with the royal army in Normandy; and in 10 Richard I. he was one of the justiciers before whom a fine was levied at Norwich, but evidently only as a justice itinerant.[1]

Under King John he was frequently employed. In the first year of that reign he was appointed one of the bailiffs of the Jews in England.[2] In 7 John he was sent on some embassy, the close roll containing an order for a ship to be provided for him on the king's service.[3] In 10 John a fine was again levied before him as a justicier at Derby. In 14 John he was employed with four others on a commission of inquiry into certain complaints in Yorkshire and Lincolnshire[4]; and in the next year he was one of those employed in collecting the assize of woad, in the latter county, and the duties on corn, salt, grease, honey, and salmon.[5] During the whole of this time he was frequently a witness to charters granted by the king; and on January 14, 1215, he was joined in a commission with the Archbishop of Canterbury and others to give safe conduct to those who came to supplicate the king's mercy for their great offences.[6] On the granting of Magna Charta, however, he was one of the twenty-five barons who were appointed to enforce its observance; and, though he afterwards neglected the invitation sent by the barons to be present at the tournament on

[1] Preface to Fines of Richard I. and John, in which he is called William de Albeni, afterwards Earl of Arundel; but this can scarcely be so, as the earl was then too young to perform such a duty; and if he had been the person, he would have been recorded with the title of his earldom, which he then possessed.

[2] Rot. Chart. 61.

[3] Rot. Claus. i. 56.

[4] Rot. Pat. 97.

[5] Madox's Exch. i. 773.

[6] Rot. Pat. 126.

Hounslow Heath, he subsequently joined them in London, and was entrusted with the command of Rochester Castle. There he bravely sustained a siege of three months; but being, in December, 1213, compelled at last for want of provisions to submit, he narrowly escaped being hanged, a sentence which the angry monarch had pronounced against all the defenders. He owed his safety to the remonstrance of Savaricus de Malloleone, one of the king's Poictevin generals; and was, with his son Odenel, sent prisoner to Corff Castle. The loss of all his possessions was the consequence of his rebellion, to which was added the pope's excommunication.[1] His wife, Agatha, however, succeeded in softening the king, and obtaining his pardon, with the restoration of his property, on the payment of a fine of six thousand marks; which she was permitted to raise out of the lands themselves, they being delivered up to her for that purpose.[2]

According to Roger de Wendover, he was not released till November 25, 1216, about a month after the king's death; and it is certain that the whole of the fine was not paid before his liberation, or indeed up to the period of his own decease, nearly twenty years after; because his son was then permitted to pay what remained due by annual instalments of 20*l.* each.[3] He was at once received into confidence, and had an early opportunity of proving his loyalty in the battle of Lincoln, fought on May 19, 1217, where he greatly distinguished himself. Entrusted with the castle of Muleton and the lands of Thomas of Muleton, which had been forfeited, and obtaining the valuable custody of the land and heir of Henry de Neville, he enjoyed the royal favour till his death. In 3 Henry III. he was placed high in the list of itinerant justices sent into the counties of

[1] Roger de Wendover, iii. 329—355.
[2] Rot. Claus. i. 280, 287.
[3] Excerpt. e Rot. Fin. i. 306.

Lincoln, Nottingham, and Derby; and again into Yorkshire in 9 Henry III.[1] He died in May, 1236. He was a great benefactor to the monks of Belvoir, and founded the hospital of Our Lady, called Newstead, at Wassebridge, between Stanford and Offington, in Lincolnshire, in which his body was interred, his heart being buried at Belvoir.

He married twice. His first wife was Margery, daughter of Odenel de Umfraville, by whom he had several children, viz., William, his successor, Odenel, Robert, and Nicholas, a priest. His second wife was Agatha, daughter and coheir of the Baron William de Trusbot, for whom, with her inheritance, he accounted six hundred marks in 10 Richard I. It does not appear that she bore him any children, but to her energy in his misfortunes he owed his liberation.[2]

For his descendants, see the account of his grandfather under the reign of Henry I.[3]

ALENCUN, HERBERT DE.

Just. Itin. 1225.

The property of Herbert de Alencun was in Suffolk; and a suit previously instituted by him relative to the manor of Dinniveton in that county, which was to have been heard before the justices itinerant in 9 Henry III., was directed to be removed before the judges at Westminster, in consequence of his being included in the commission for that iter.[4] In 11 Henry III., he was one of those employed to fix the tallage for Norfolk and Suffolk[5], and for the next five years he filled the office of sheriff of those counties.[6]

[1] Dugdale's Chron. Series; Rot. Claus. ii. 77.
[2] Dugdale's Baronage, i. 111.
[3] See vol. i. p. 96.
[4] Rot. Claus. ii. 77. 79.
[5] Ibid. ii. 174. 208.
[6] Fuller's Worthies.

AMBLY, WILLIAM DE.

JUST. ITIN. 1234.

WILLIAM DE AMBLY was one of the many who, having been in arms against King John, returned to their allegiance on the accession of Henry III.[1] After the appointment, in 9 Henry III., of justices itinerant for Norfolk and Suffolk, in one of which his estates were situate, he was joined to those named, in the place of Bartholomew Glanville.[2] I find no other facts connected with him.

ANDELEY, or AUNDELEY, MAURICE DE.

JUST. 1219.

OF Maurice de Andeley, or Aundeley, so called from a town in Normandy, very little is to be collected. He probably practised in the court at Westminster, and on the different itinera. In 16 and 17 John, he had letters patent of protection granted to him[3], then frequently given, and no doubt necessary for one moving much about in those troublous times. In the last of those years he was sent down to Northampton, with Simon de Pateshull and others, to hear a dispute relative to the presentation of the church of Oxenden.[4] There is no evidence to show what was his precise position; but in Trinity Term, 1219, 3 Henry III., he appears as one of the justiciers at Westminster before whom fines were levied; and in the same year as a justice itinerant in the counties of Bedford, Buckingham, Huntingdon, Cambridge, Northampton, and Rutland.[5] Again, in 9 Henry III., he acted in the same capacity in the two last-named counties[6]; and in 14 Henry III., 1230, in Sussex

[1] Rot. Claus. i. 340.
[2] Ibid. ii. 77.
[3] Rot. Pat. 137—169.
[4] Rot. Claus. i. 270.
[5] Dugdale's Chron. Ser.
[6] Rot. Claus. ii. 77.

and Rutland. In 6 Henry III., 1222, he was commanded to be on a certain day at Nottingham, with B. de Insula, the chief-forester, to hold pleas of the forest for Derby and that county[1]; probably merely as an assistant judge.

ARESEY, NORMAN DE, or D'ARCI.

Just. Itin. 1234.

The chief seat of the noble family of de Aresey, or D'Arci, was situate at Nocton, in Lincolnshire, where Norman de Aresey, the founder, had thirty-three lordships from the immediate gift of the Conqueror. The subject of this notice was fifth in descent from him, and was the son of Thomas de Aresey, and Johanna, who afterwards married William de Lauda. He succeeded his father in 7 John, giving to the king a fine of six hundred marks, two palfreys, and a complete horse for livery of his lands.[2] He accompanied the king on his expedition to Ireland, in 1210[3]; but joining in the confederacy against him in 1215, his lands were seized into the king's hands for the remainder of that reign: nor were they restored under Henry III. till he had given hostages for his future fidelity.[4] That his subsequent conduct was quiet and loyal, appears from his receiving in 3 Henry III. the confirmation of the grant of a market at his manor of Nocton, which had been made to him in 16 John[5], presenting to his sovereign a goss-hawk of Norway for the privilege; and from his being one of those employed in 9 Henry III. to conduct the quinzime, which had been collected for the county of Lincoln, to Northampton.[6]

On the circuits which were appointed on August 1, 1234, 18 Henry III., he was placed as a justice itinerant in the

[1] Rot Claus. i. 516.
[2] Rot. de Præstit. 187—229.
[3] Rot. Pat. 201.
[4] Rot. de Finibus, 340. 349.
[5] Rot. Claus. i. 249. 311. 320.
[6] Rot. Claus. ii. 74.

commission for Lincolnshire; and in June, 1245, 29 Hen. III., he received the same appointment for the counties of Nottingham and Derby.[1]

He died shortly before October 16, 1254, 38 Henry III., as appears by the fine roll of that date, when livery of his lands was ordered to be made to Philip, his son and heir.[2]

This barony fell into abeyance among daughters about 1340. Another barony of Darcy was created in a younger son of one of Norman's successors, in 1332, which also fell into abeyance in 1418. A third barony was created in 1509 in another branch, one of whose descendants was advanced to the earldom of Holderness in 1682, which became extinct for want of male heirs in 1778: but the barony of Conyers, which was also in the family, descended to the deceased earl's daughter, who married the Duke of Leeds, and is now held as one of the honours of that dukedom. Some descendants of the original family still exist in the counties of Westmeath and Galway.[3]

ARGENTINE, GILES DE.

JUST. ITIN. 1253.

GILES DE ARGENTINE was the grandson of Reginald de Argentine, noticed as a justicier in the reign of King John; and the son of Richard, by his wife Johanna.[4] His father, who was one of the justiciers in Normandy under that king, and steward of the household under Henry III.[5], died in 1247, 31 Henry III., when Giles did homage for the lands held in capite, and paid 10*l.* for his relief.[6] He was a knight

[1] Dugdale's Chron. Ser.
[2] Excerpt. e Rot. Fin. ii. 196.
[3] Dugdale's Baronage, i. 369.; Nicolas's Synopsis of the Peerage; Burke's Landed Gentry.
[4] Excerpt. e Rot. Fin. i. 177.
[5] Madox's Exch. i. 63, 64. 156.
[6] Excerpt. e Rot. Fin. ii. 5.

of great valour, and had been actively engaged in the wars with the Welsh, by whom he was taken prisoner, in 16 Henry III.

Some time after his father's death he was made governor of Windsor Castle; and in 45 Henry III., 1261, he is placed by Dugdale at the head of the justices itinerant for Berkshire, Oxfordshire, and other counties.[1] He had, however, acted in that character eight years previously, and was present as judge at Alton, in Hampshire, when William de Insula took John le Falconer by the throat in open court, in 37 Henry III., 1253.[2]

After the battle of Lewes, when the king fell into the hands of the barons, Giles de Argentine joined the latter, and was by them selected as one of the council to govern the realm. While in this office, the chancellor, Thomas de Cantelupe, during a temporary absence, delivered the seal to Ralph de Sandwich, to be kept by him under the seals of Giles de Argentine and two others, with power to seal writs of course in their absence, but precepts in their presence only and with their assent. He died in 1283, 11 Edward I., leaving a son, Reginald, who was summoned to parliament in the twenty-fifth year of that reign; but neither he, nor any of his descendants, afterwards.[3]

ARUNDEL, Earl of. *See* William de Albini.

ASCWARDBY, ADAM DE, Abbot of Bardney.

Just. Itin. 1234.

In the commission for justices itinerant, dated August 1, 1234, 18 Henry III., the Abbot of Bardney is placed in that for Lincolnshire. This was Adam de Ascwardby, who

[1] Dugdale's Chron. Series. [2] Abbrev. Plac. 132.
[3] Dugdale's Baronage, i. 615.; Nicolas's Synopsis of the Peerage.

was elected abbot on September 8, 1225, and resigned the office in 1237.[1]

AUDLEY, JAMES DE.

JUST. ITIN. 1260.

JAMES DE AUDLEY, or Aldithley, was the son of Henry de Aldithley of Heleigh, in Staffordshire, who adhered to King John in his troubles, and served the office of sheriff of that county during several years under Henry III., besides being entrusted with the custody of various castles on the Marches of Wales. Having founded the abbey of Hilton, in Staffordshire, he died about November, 1246, 31 Henry III., when his son and heir, this James, did homage for the lands and castles he held.[2] Henry had also, by his wife Bertred, daughter of Ralph de Meisnilwarin of Cheshire, a daughter named Emma, who married Griffin, son of Madoc, Lord of Bromefield, a person of great power in Wales.

James was constituted constable of Newcastle-under-Line, and did good service against the Welsh; and in 44 Hen. III. was made sheriff of Shropshire and Staffordshire; acting in the same year as a justice itinerant into the counties of Huntingdon, Bedford, Buckingham, and Northampton.[3] In 47 Henry III., 1263, he was appointed Justice of Ireland: and in the reference made to the King of France relative to the dispute between Henry III. and the barons as to the provisions of Oxford, he was one of the peers who undertook for their sovereign's observance of the award.

In 52 Henry III., there was a plea as to some land between him and Henry de Lacy, who prosecuted for the king, which was debated before the king himself, and the arguments are stated on the roll. The decision has not been

[1] Dugdale's Chron. Series; B. Willis's Mitred Abbeys, i. 30.
[2] Excerpt. e Rot. Fin. ii. 2.
[3] Dugdale's Chron. Series.

found.[1] In 54 Henry III. he went on a pilgrimage to the Holy Land, and died two years afterwards, as it is stated, by breaking his neck; his eldest son James doing homage for his father's lands on July 29, 1272, 56 Henry III.[2] His descendants were regularly summoned to parliament; but the male line terminated on the death of Nicholas, the tenth baron, in 1392. The barony, however, survived in John Touchet, the grandson of his sister, in whose descendants, with no other interruption than an occasional forfeiture and restoration, it has remained till the present time. The earldom of Castlehaven, in Ireland, was added in 1617, but became extinct in 1777.[3]

AUMARI, ROBERT DE.

JUST. 1216.

See under the Reign of John.

THAT Robert de Aumari was a regular justicier appears from his being one of those before whom fines were levied at Westminster from 10 to 13 John[4], and from his acting in the first of those years as a justice itinerant at Lincoln.[5] Under Henry III. he preserved his place, and was sent into Kent with Martin de Pateshull and Ralph Hareng to take an assize of novel disseisin in the second year of that reign.[6] In 9 Henry III. he was one of the justices itinerant in Oxfordshire, and in the following year was appointed to collect the quinzime in that county; for his activity in performing which duty he was pardoned a fine of forty shillings, which he owed for permission to plough up part of his wood of Perye, in Oxfordshire, where his property lay.[7]

[1] Madox's Exch. i. 101.
[2] Excerpt. e Rot. Fin. ii. 574.
[3] Dugdale's Baronage, i. 747.; Nicolas's Synopsis of the Peerage.
[4] Fines of Richard I. and John.
[5] Dugdale's Chron. Ser.
[6] Rot. Claus. i. 367.
[7] Ibid. ii. 76. 147. 164.

He had been sub-sheriff there to Thomas Basset in 9 John[1], and one of his descendants was sheriff in the reign of Edward II.

AUNDELEY. *See* MAURICE DE ANDELEY.

AUNTRESEYE, ROGER DE.

JUST. ITIN. 1225.

NOTHING more is known of Roger de Auntreseye than that he was one of the justices itinerant for the county of Wilts in 9 Henry III., 1225.[2]

AURE, JOHN DE.

JUST. ITIN. 1262.

OF John de Aure, who was a justice itinerant in 46 Hen. III. and the following year in the counties of Cornwall, Devon, Dorset, and Somerset[3], nothing has been ascertained further than that his family belonged to a place of that name in Gloucestershire, and that he was probably the grandson of Walter de Aure, who died in 5 Henry III., and the son of Philip de Aure.[4]

BAALUN, JOHN DE.

JUST. ITIN. 1225.

JOHN DE BAALUN, or Balun, was a baron whose estates were in the counties of Gloucester, Hereford, and Wilts. He was descended from Hameline de Balun, who came into England with the Conqueror, and built the castle of Abergavenny. Reginald, the father of John, in the reign of

[1] Madox's Exch. ii. 168.
[2] Rot. Claus. ii. 76.
[3] Dugdale's Chron. Series.
[4] Madox's Exch. i. 118., ii. 27.; Excerpt. e Rot. Fin. i. 70.

Henry II., made a fine with Geoffrey Fitz-Ace and Agnes his wife, of certain lands which had belonged to the said Hameline, for the performance of which the son paid a fine to the king of one hundred marks and a palfrey in 9 John.[1] In 12 John he accompanied the king to Ireland[2]; but before the end of the reign he joined in the war against his sovereign and forfeited all his lands.[3] On the accession of Henry III. he returned, as many others did, to his duty, and was reinstated in his possessions.[4] In 9 Henry III. he was placed on the list of the justices itinerant for the county of Gloucester.[5] On his death, which occurred in 19 Henry III., 1235, his son John paid 100*l.* for his relief, and did homage for his inheritance.[6] No mention is made of any of his successors.

BAALUN, ROGER DE.

JUST. ITIN. 1225.

ROGER DE BAALUN, or Balun (who was probably of another branch of the same family), was also one of the justices itinerant in 9 Henry III., being appointed for Hampshire.[7] In the next year he died: and was at that time coroner for the county.[8]

BARDNEY, ABBOT OF. *See* A. DE ASCWARDBY.

BARKING, RICHARD DE, ABBOT OF WESTMINSTER.

B. E. 1242.

RICHARD DE BARKING was raised from the office of prior to that of Abbot of Westminster, in September, 1223.[9] He is

[1] Rot. de Finibus, 382.
[2] Rot. Claus. i. 278. 280.
[3] Ibid. ii. 76.
[4] Rot. Claus. ii. 76.
[5] Rot. de Præstito, 189.
[6] Rot. Claus. i. 311.
[7] Excerpt. e Rot. Fin. i. 276.
[8] Ibid. ii. 91.
[9] Dugdale's Monasticon, ii. 282,

first mentioned by Madox among the barons of the Exchequer in 27 Henry III., 1242[1]; and as he stands immediately after William de Haverhull, the treasurer, he no doubt occupied a high position there. In this, however, his ecclesiastical dignity would necessarily place him; and it by no means follows that he was, as Dugdale and Weever describe him, chief baron, according to the signification by which they evidently interpret the term. There is nothing to show that at that time there was an officer bearing that title; and if it had then existed, the rolls would not have been silent on the subject, nor would Madox have failed to notice it.

In the same year he alone tested the mandates issued to the sheriffs of the different counties, directing them to get in the scutage-money granted for the king's voyage into Gascony.[2] This shows that he stood high in the royal confidence, and was in immediate attendance on the king; and about 1245 he was at the royal intercession excused from his attendance on a general council called by the pope, because he and the Bishop of Carlisle were the king's deputies or regents of England when he went abroad.[3] He died on November 23, 1246[4], having, during his long presidency, greatly increased the revenues of his house. His character was that of a prudent, learned, and religious man.

BARNSTAPLE, ARCHDEACON OF. *See* GODFREY GIFFARD.

BASSET, ALAN.

JUST. 1217.

ALAN BASSET is the sixth of that family who has been mentioned in connection with the administration of justice. He was the third son of Thomas Basset, of Hedendon, who was

[1] Madox's Exch. ii. 318.
[2] Ibid. i. 682.
[3] Dart's Westminster, II. p. xx.
[4] Weever's Funeral Monuments, 486.

a justicier in the reign of Henry II. Under Richard I. and John he appears to have been a frequent partaker of the royal bounty. In the former reign he had a grant of the manors of Woking and Mapeldurewell[1]; and in the latter, of those of Wycumb and Berewick. Besides these, King John granted him the custody of the lands and heir of Hugo de Druvall, and excused him his scutage in Surrey, Oxfordshire, and Berkshire. An order to Stephen de Turnham and him in 9 John, to deliver a sum of 2250 marks from the treasury, shows that he was connected with the Exchequer; and in 15 John he was the bearer of 100*l.* from the treasury to the king at Oxford.[2] That he was a personal favourite of the king, may be inferred from a present he received from him of a dolium of the best wine.[3] Besides being a frequent witness to charters during the whole of the reign, he accompanied his sovereign in his visit to Ireland in 12 John[4], attended him at Runnymede, and was a faithful adherent to his fortunes till his death.

On the accession of Henry III. he was equally favoured and equally employed. In the second year he acted as a justicier at Westminster, which is evidenced by a fine being levied before him[5]: but there is no proof of his being statedly engaged in judicial duties. In 4 Henry III. he was sent on a mission to France, and in 7 Henry III. he and Emericus de Sacy were appointed to meet the King of Jerusalem on his landing in Kent.[6] He was Sheriff of Rutland from 2 to 12 Henry III.; had the custody of the land and heir of William de Montacute given to him, obtained a grant of a market at Wutton, in Wiltshire, and was allowed two bucks out of Windsor Forest.[7]

[1] Rot. Chart. 37.
[2] Rot. Claus. i. 99. 139.
[3] Ibid. 59.
[4] Rot. de Præstit. 184., &c.
[5] Dugdale's Orig. Jurid. 42.
[6] Rot. Claus. i. 410. 559.
[7] Ibid. i. 313. 385. 460.

He died about October, 1232, 17 Henry III., leaving several children by his wife, who was Alice, the daughter and heir of Stephen de Gray. To judge from an entry on the close roll, she was one of the ladies attached to the person of the queen; for the order which directs the barons of the Exchequer to allow to Reginald de Cornhill certain monies paid for sundry ells of scarlet and green, with other paraphernalia delivered to Stephen de Turnham for the use of her majesty "et puellarum Reginæ" at Winchester, contains an allowance for similar garments also delivered there for the use of the wife of Alan Basset "et socie sue."[1]

Three of his sons were successively in possession of his honours and estate, viz.: Gilbert, whose son died soon after him; Fulk, who was raised to the deanery of York and the bishoprick of London; and Philip, who became chief justiciary in this reign, and is the subject of the following notice.

Of his daughters, his eldest, Alice, married Sir John Sandford; his second, Alina, married, first, Drogo de Montacute, and secondly, Richard Talbot; and either she or another daughter, Catherine, married John Lord Lovel. In 14 John, Alan Basset fined in one hundred marks and an excellent palfrey that his daughter might marry William de Lanvallei; but as the name of the daughter is not given, it is uncertain whether the proposal had reference to either of the above or another, or whether indeed the marriage ever took place. If it did, she was the mother of Hawise, who married John, the son and heir of Hubert de Burgh, Earl of Kent.[2]

[1] Rot. Claus. 9 John, i. 104.

[2] Chauncey's Herts, 348.; Atkyns's Gloucestersh. 420.; Brydges' Collins' Peerage, iii. 2., vii. 335.; Nicolas's Synopsis.

BASSET, PHILIP.

JUST. ANGL. 1261.

PHILIP BASSET was the third son of the above Alan, and eventually succeeded to the barony of Wycombe; his eldest brother, Gilbert, dying in 1240, leaving an only son, who did not long survive him; and his next brother, Fulk, Bishop of London, dying in 1258, without issue.

In 1233, the year after his father's death, he joined the insurrection of Richard, Earl of Pembroke, but returned to his allegiance in the following year[1], and from that time seems to have been high in his sovereign's favour. In 27 Henry III., October, 1243, he had a grant of the custody of the lands and heir of Matilda de Luci; in 37 Henry III., December, 1252, that of the lands and heir of Richard de Ripariis; and in 41 Henry III., November, 1257, the manor of Dimmock was granted to him and his wife, Ela, Countess of Warwick.[2]

Besides being called upon to attend the king in his wars in France and in Wales, he was, in 29 Henry III., one of the ambassadors sent to the council of Lyons to complain of the papal exactions in England; and in 44 & 45 Henry III. he was constituted governor of the castles of Oxford, Bristol, Corff, and Shireburn; with the sheriffalties of the counties in which they are situate, and of Berkshire. He is called bailiff of the King of the Romans in an entry of 43 Hen. III.[3]

When the king, in July, 1261, 45 Henry III., openly resisted the control under which the barons had placed him since the parliament of Oxford of 1258, he appointed Philip Basset Chief Justiciary of England.[4] The barons' chief justiciary was his son-in-law, Hugh le Despenser; and they

[1] Dugdale's Baronage, i. 384.
[2] Excerpt. e Rot. Fin. i. 407., ii. 148. 247. 249.
[3] Abbrev. Placit. 146. [4] Dugdale's Chron. Series.

both seem to have acted at the same time till the short accommodation that took place between the contending parties in the following April; when Philip Basset's appointment was fully established. Between July 15 and October 18, 1262, 46 Henry III., while the king was absent in France, all the mandates on the fine roll were signed by him[1], and he presided at a council, when the Earl of Leicester, taking advantage of the king's absence, is said to have produced a brief from the pope confirming the provisions of Oxford, and recalling the king's absolution.[2] His name appears on the plea roll of the Exchequer as justiciary of England at the end of June, 1263, 47 Henry III.[3]

Another temporary reconciliation took place in the following year between the king and the earl, the effect of which was the reinstatement of Hugh le Despenser, whose name appears as justiciary of England to a mandate, dated October 1, 1263[4]: while Philip Basset is named without that addition in the reference of the Oxford provisions to the King of France, dated in December following.[5]

Philip Basset, however, adhered firmly to the king, and in the outbreak of the London citizens, led by Hugh le Despenser, at the beginning of 1264, his house and possessions in London fell a sacrifice to their fury.[6] In the following March he greatly assisted the king in taking Northampton; and at the battle of Lewes, on May 14, valiantly fighting near the royal person, he continued the contest until he fell through loss of blood, when he shared the fate of his sovereign, and was taken prisoner.[7] He was placed in Dover Castle, under the custody of Simon de Montfort, younger son of the Earl of Leicester: but how long he remained in durance does not appear.

[1] Excerpt. e Rot. Fin. ii. 378–385.
[2] Rapin, iii. 146.
[3] Madox's Exch. i. 100.
[4] Excerpt. e Rot. Fin. ii. 405.
[5] Brady's England, i. Appendix, 233.
[6] Chron. Rishanger, 22.
[7] Lingard, iii. 138.

After the triumph of the royalists at the battle of Evesham, on August 4, 1265, there is nothing to show that Philip Basset was replaced in his office of chief justiciary, although there is ample evidence to prove that he continued to enjoy the king's favour and to hold a high place in his counsels. He was one of those who were appointed to carry into execution the Dictum of Kenilworth, in October, 1266, 51 Henry III.[1]; and his name appears as one of the king's council in February, 1270, 54 Henry III.[2]

He died about the end of October, 1271, 56 Henry III.; for on November 2, the constable of the castle of Devizes is ordered to give it up to Elyas de Rabeyn, "because Philip Basset, his lord, is gone the way of all flesh."[3]

He married two wives: the first was Hawise, or Helewise, daughter of John Gray, of Eaton; and the second (who survived him) was Ela, daughter of William Longspee, Earl of Salisbury, and widow of Thomas, Earl of Warwick. By the former he left an only daughter, Alyna, or Aliva, who had first married Hugh le Despenser, the chief justiciary; but was then the wife of Roger Bigot, Earl of Norfolk, the son of Hugh Bigot[4]: being thus connected with three chief justiciaries, as the daughter of one, the wife of a second, and the daughter-in-law of a third.

BASSET, THOMAS.

? Just. 1262.

In the multitude of Bassets who occupied the judicial seat, it is very difficult to distinguish the branches of the family to

[1] Rapin, iii. 171.

[2] Madox's Exch. ii. 170.

[3] Excerpt. e Rot. Fin. ii. 551.

[4] Ibid. ii. 554., where she is named Alyna. Dugdale calls her Aliva; and under Hugh le Despenser (Baronage, i. 390.) makes her the widow of Roger Bigot, at the time of her marriage with Hugh le Despenser, though he states the fact as above (which the entry on the Fine Roll proves) in his account of Philip Basset, p. 385.

which they each belong. It seems probable that this Thomas Basset was the grandson of Thomas Basset, Lord of Hedendon, noticed in Henry II.'s reign, by his second son Thomas; and that he was the nephew of Alan Basset, above mentioned. Dugdale introduces him as a justice of the King's Bench, on the authority of a charter of 46 Henry II., 1262[1]: but none of the customary proofs appear of his so acting, either by his going any iter, or having any writs of assize directed to him. He died, however, shortly after that date, as his widow Johanna is mentioned on the fine roll of 52 Henry III.[2]

BASSET, WILLIAM.

JUST. ITIN. 1226.

ALTHOUGH Dugdale does not mention this William Basset, there is little doubt that he was the son of Simon Basset, Lord of Sapcote, in Leicestershire, who has been noticed as a justice itinerant under the reign of Richard I. Simon married Elizabeth, one of the daughters of William Avenel, of Haddon in the Peak, in Derbyshire, who, on his death, about 7 John, fined sixty marks for her inheritance, and for permission not to marry. In 10 Henry III. this lady died, and all the land which she held of the honour of Pewerel, in the county of Buckingham, was ordered to be put into the possession of her son William, to whom she had given it "as her heir."[3] From the terms of this entry, however, it may be inferred that he was not her eldest son. Long previous to this event, he was possessed of property in the counties of Leicester, Derby, Lincoln, and Stafford; all which was forfeited for his adherence to the barons in 18 John, and restored in the following year, when he acknowledged his

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 470.
[3] Ibid. i. 140.

fealty to Henry III.[1] In the fifth year of that reign he seems to have been one of the escheators of Warwickshire, and to have been appointed a justice for delivery of the gaol at the manor of Roell, in Leicestershire. In 8 Henry III. he was with the king's army before the castle of Bedford, and was in consequence excused holding his ward at the castle of the Peak. The next year he assisted in assessing and collecting the quinzime in Nottingham and Derby; and in 10 Henry III., 27 May, 1226, he was for the first time appointed one of the justices itinerant for those counties. He performed the same duty in various other counties, in 11 and 16 Henry III., 1227, 1232[2]; which renders it not improbable that he then became more closely connected with the courts at Westminster. No other record, however, occurs in evidence of this: nor, indeed, any that relates to him, except that in July, 1249, 33 Henry III., when it is to be presumed that he died, Robert Basset, his nephew and heir, did homage for his land in Buckinghamshire[3], being that probably which he received from his mother of the honour of Peverel. Whose son this Robert was, does not appear.

BATH AND WELLS, Bishop of. *See* J. de Wells, W. Giffard.

BATHONIA, HENRY DE.

Just. 1238. ? Ch. Just. 1247.

Prince, in his Worthies of Devon, makes Henry de Bathonia a native of that county, and a younger brother of Walter de Bathonia, of Bathe House, in North Tawton, and

[1] Rot. Claus. i. 284. 287. 311. &c.
[2] Ibid. i. 471. 610., ii. 73. 151. 213.; Nicholl's Leicestershire, 579.
[3] Excerpt. e Rot. Fin. ii. 57.

of Colebrook, near Crediton.[1] There does not appear any proof, nor indeed much probability, that this statement is well founded. The roll of fines shows that, in 20 Henry III., August 18, 1236, the king directed the Sheriff of Dorsetshire to appraise all the chattels which had belonged to Hugh de Bathonia, and to deliver them to Henry, taking security that he would answer for their value in discharge of the debts due from Hugh to the crown.[2] The record does not state the relationship between them; and as Hugh is frequently mentioned as "clericus," it must be charitably supposed that he was Henry's uncle, unless indeed the designation "clericus" was attached to his name merely with an official instead of an ecclesiastical signification. This appears not altogether improbable, inasmuch as the same title is in one instance given to Henry de Bathonia himself, although it is certain that he afterwards married and had a son. Hugh de Bathonia, whether he was his father or his uncle, was an officer of the king's wardrobe in the reign of John, in the seventeenth year of which there are entries of various parts of the regalia being placed in his hands.[3] He is spoken of as Sheriff of Buckingham in 7 Henry III., and certainly held that office in Berkshire in 11 Henry III., and was afterwards one of the justices of the Jews.[4] This official position which Hugh held in the court will account for Henry de Bathonia being brought up to the legal profession; and accordingly, so early as 10 Henry III., his name appears, with the addition of "clericus," as the representative or attorney for Warin le Despenser in a suit against Nicholas de St. Bridget, for a debt of four marks and a half.[5]

It was not till after Hugh's death that Henry de Bathonia

[1] Prince's Worthies of Devon, 55.
[2] Excerpt. e Rot. Fin. i. 310.
[3] Rot. Pat. 173, 174.
[4] Rot. Claus. i. 569., ii. 196.; Madox's Exch. i. 234.
[5] Rot. Claus. ii. 156.

was advanced to the bench. At Midsummer, 1238, 22 Henry III., his name first appears to the acknowledgment of a fine. Two years afterwards he was one of the justiciers on the circuit then sent through the southern counties. In that commission he stood second on the list; and from that time the fine roll teems with payments made for writs of assize to be taken before him.[1] In November, 1247, 32 Henry III., he stands in a higher place, an amerciament being mentioned as made before him and his companion justices of the bench[2]: and in the circuits of that and the two following years his name is inserted at the head, in every county which he is appointed to visit. In 34 Hen. III., 1250, he had a grant of 100*l.* a year for his support "in officio Justiciarii,"[3] an expression which would seem to show that the term "capitalis," or chief justice, as subsequently used, was not yet adopted: as it is quite manifest that he then sat as the senior of his fellows.

Not long after this grant he was accused by Philip Darcy of bribery and extortion, whereby he had raised a great estate on the ruin of others. Four-and-twenty knights became security for his appearance to answer the charge before the parliament summoned for February 17, 1251, 35 Henry III. The king is represented to have made proclamation calling upon every one who had any accusation against him to bring it forward. On the day of hearing, he was charged with incensing the barons against the king, and promoting a general rebellion; and among various complaints urged against him was one that he had received a bribe to allow a convicted criminal to escape. The vehemence of the king's anger may be estimated by his brutal exclamation, "If any man will slay Henry de Bathonia, he shall not be

[1] Dugdale's Chron. Series; Excerpt. e Rot. Fin. i. 398., ii. 339.
[2] Ibid. ii. 23.; Abbrev. Placit. 125, 126.
[3] Dugdale's Chron Series.

impeached of his death; and I now pronounce his pardon." This violence, however, was prevented by John Mansel's timely interference, and the threats of the Bishop of London and the justicier's other friends, of ecclesiastical and temporal revenge.

The intercession of Richard, Earl of Cornwall, the king's brother, at last procured him a pardon, on a fine of two thousand marks[1], the whole of which was not paid at the time of his death. His disgrace continued more than two years, judging from the interval that occurs, during which there are no applications for writs of assize to be taken before him; viz., from November, 1250, till August, 1253, 37 Henry III., after which date they are frequent for the rest of his life.[2] A grant of land, also, in the latter year, addressed "Henrico de Bathon. et sociis suis, justiciariis assignatis ad tenendum placita coram Rege,"[3] proves that he had been restored to his former high position. Comparing the title here used with that in the amerciament in 32 Hen. III. already referred to, "coram Henrico de Bathon. et sociis suis, justiciariis de Banco," it would appear, according to the modern interpretation of the terms, that he had changed his court; but this seems to be contradicted by an entry in 20 Edward I., which refers to a proceeding in 41 Hen. III., "coram H. Bathon. et sociis suis, justiciariis Regis de Banco."[4] In the preceding year, he and his companions are mentioned without any designation to distinguish the court; the words used being "et sociis suis, justiciariis Regis."[5] These changes suggest the caution with which such appellations should be used in the support of an hypothesis.

So late as 44 Henry III., 1260, he went the circuit

[1] Brady's History of England, 605.; Daniel, 166.; Holinshed's Chronicles, ii. 421.

[2] Excerpt. e Rot. Fin. ii. 92. 169—339.

[3] Manning's Serviens ad Legem, 298.

[4] Abbrev. Placit. 228.

[5] Excerpt. e Rot. Fin. ii. 225.

through eight counties, being appointed by the council for the purpose of providing for the removal of abuses.[1]

He died before the 22nd of the following February, 45 Henry III., as on that day the king, "intuitu laudabilis obsequii quod Henricus de Bathon. R. impendit in vita sua," grants to John de Bathon, his son and heir, that the arrears which remained due of the fine of two thousand marks which he made for having the king's favour, and of all other debts which he owed to the king at his death, might be paid by instalments of twenty-five marks at each of the yearly Exchequer Terms, Michaelmas and Easter.[2]

His widow, Aliva, afterwards married Nicholas de Yatingdon, and died in 1273. The above-mentioned John de Bathonia had a son also named John, whose only child, Joan, was married to John de Bohun, and died in 1316.[3]

BAYEUX, JOHN DE.

JUST. ITIN. 1218.

JOHN DE BAYEUX (Baiocis) was the son of Hugh de Baiocis, a baron in Lincolnshire, by Alienora his wife. Before his father's decease, he was outlawed for the death of a man, and his property in Bristol and in Dorsetshire being forfeited, was given away in 16 and 17 John.[4] He contrived, nevertheless, to make his peace; for in 3 Henry III. he was admitted to take possession of his paternal estates in Lincolnshire on payment of 100*l.* for his relief[5]; and in the same year he was added to the list of justices itinerant for the counties of Cornwall, Devon, Somerset, and Dorset.[6] It would appear, however, that he was not even then entirely

[1] Dugdale's Orig. Jurid. 42., and Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 345.
[3] Blomefield's Norfolk, i. 185.
[4] Rot. Chart. 16 John, 201.; Rot. Claus. 17 John, i. 237.
[5] Excerpt. e Rot. Fin. i. 32.
[6] Rot. Claus. i. 404.

cleared of the charge, unless indeed he had subjected himself to a new accusation; for in 4 Henry III. he and his mother, Alienora, his brother, and three others, fined for having an inquisition before the chief justiciary, whether the appeal against them by Robert de Tillebroc for the death of his father was malicious, or they were guilty.[1] That the result of the inquiry was favourable, may be presumed from his being again selected as a justice itinerant in Dorsetshire in 9 Henry III., 1225[2], and from his holding several responsible appointments about the same time, as justice of the forests, and constable of the castle of Plimpton.[3] In 18 Henry III. another charge of homicide was raised against him; and he paid a fine of no less than four hundred marks for permission to accommodate with the widow of Ralso, of Mubray for the death of her husband, in which he was socineway concerned.[4]

On his death in 33 Henry III., 1249, his brother Stephen did homage for his lands as male heir.[5] Stephen left two daughters, Matilda and Joane, the former of whom was granted in marriage to Elyas de Rabayne, who took the other beyond the sea; whereupon the Sheriffs of Dorset, Somerset, and Lincoln, in 42 Henry III., 1258, were ordered to seize her moiety into the king's hands.[6] After Elyas de Rabayne's death, Matilda married Peter Mallore, a justice of the Common Pleas under Edward I. and II.

BAYNARD, FULCO.

JUST. ITIN. 1226.

FULCO BAYNARD was of the noble family of that name, the ancestor of which, Ralph Baynard, possessed in the Con-

[1] Excerpt. e Rot. Fin. i. 45.
[2] Rot. Claus. ii. 76.
[3] Ibid. i. 622. 633. 647. 655., ii. 76. 97, 98.
[4] Excerpt. e. Rot. Fin. i. 264.
[5] Ibid. ii. 51.
[6] Ibid. ii. 286. This record states them to be daughters of John; but that this is an error for Stephen is evident from proceedings before the parliaments of 18 Edward I. and 9 Edward II. See Rolls of Parliament, i. 44. 337.

queror's time various rich lordships in the counties of Essex, Suffolk, Norfolk, and Hertford. By the conspiracy of his grandson, William, the elder son of Geoffrey, against King Henry I., the barony was lost; and its castle, called Baynard's Castle, near St. Paul's, in London, was granted to Robert, the son of Richard Fitz-Gilbert, from whom descended the Fitz-Walters.[1] Fulco traced his lineage from a younger brother of Geoffrey, the father of William. He held eight knights' fees and a half in the county of Norfolk under Robert Fitz-Walter[2], and obtained a market in 1226 for his manor of Merton.[3] In November of that year, 11 Henry III., 1226, he and three others were constituted justiciers to try some prisoners charged with murder in the custody of the Bishop of Ely.[4] In four previous instances he had been one of four appointed to take particular assizes of novel disseisin in the county of Norfolk[5]; a practice then not uncommon, but which would not warrant the insertion of those so employed among the justices itinerant, from whom they were clearly distinct. Fulco's case is varied by his nomination to try the felonies above mentioned. Both in 2 and 11 Henry III. he was one of those selected to assess the tallage in Norfolk.[6]

In 1256 he fined for not being knighted, but was afterwards obliged to take that honor. In the reign of Edward I. he was nominated one of the conservators of the peace for his county; and died at a great age in 1306. By his wife, Alice, the daughter of John le Ditton, he left a son, Robert, who succeeded him. Robert's son, Fulco, left only three daughters, among whom the inheritance was divided.[6]

[1] Dugdale's Baronage, i. 461.
[2] Blomefield's Norfolk, i. 557.
[3] Rot. Claus. ii. 105.
[4] Ibid. 159.
[5] Ibid. i., ii. 552. 78. 83. 157.
[6] Ibid. i. 350., ii. 174. 208.
[7] Blomefield's Norfolk, i. 577.

BEDFORD, ARCHDEACON OF. *See* J. DE HOUTON.

BEAUCHAMP, ROBERT DE.

JUST. 1234.

ROBERT DE BEAUCHAMP (Bello-Campo) was the son of a baron of the same name, of Hache, in Somersetshire, on whose death, about 7 John, he was left a minor, under the guardianship of Hubert de Burgh.[1] In 17 John he was Sheriff of Oxfordshire and constable of the castle of Oxford. The manor and park of Woodstock were also committed to his charge, and in reward for his adherence to his sovereign in that time of revolt, he received various grants of land.[2]

On July 6, 1234, 18 Henry III., he was constituted one of the king's justices of the Bench, and in the following month was among those sent as justices itinerant into Norfolk and Suffolk; a duty for which he was again selected in April, 1238, 22 Henry III., in Cornwall and Devonshire. The last date of his appearance as a judge is in the acknowledgment of a fine before him in 26 Henry III.[3]; in which year he paid eighty marks to be exempted from attending the king into Gascony.

He died in 36 Henry III., his son and heir, Robert, being admitted to do homage February 1, 1252, on paying 100*l.* for his relief.[4] In 1360 the seventh baron, John de Beauchamp (of Somerset), died without issue; when the title became in abeyance between his two sisters; the representative of one of whom, Edward Seymour, the brother-in-law of Henry VIII., was created Viscount Beauchamp, of Hache, in June, 1536, Earl of Hertford in October, 1537, and

[1] Rot. Pat. 62.
[2] Ibid. 178.; Rot. Claus. i. 220. 235. 251. 267.
[3] Dugdale's Orig. Jurid. 43.; Chron. Series.
[4] Excerpt. e Rot. Fin. ii. 123.

Duke of Somerset in 1547. At his decapitation in 1552, all his honors became forfeited; but the barony and earldom were restored in January, 1559, to his son Edward, whose grandson, William, was created Marquess of Hertford June 3, 1640, and restored to the dukedom of Somerset in 1660. Algernon Seymour, the seventh duke, was created Baron Warkworth and Earl of Northumberland in October, 1749; but dying without male issue in 1750, his honors were divided. The dukedom of Somerset fell to Sir Edward Seymour, baronet, the lineal descendant of the first duke by his *first* wife (the male descendants of his *second* wife, to whom it was originally limited, having failed), and is now held by his grandson, the present duke. The marquisate of Hertford became extinct; but another descendant of Edward, the first Duke of Somerset, was in August of that year, 1250, created Viscount Beauchamp and Earl of Hertford; and in July, 1793, Earl of Yarmouth and Marquess of Hertford; titles which still survive in his great-grandson. The earldom of Northumberland devolved, according to a special remainder, on Sir Hugh Smithson, baronet, the husband of Duke Algernon's daughter, who was created Earl Percy and Duke of Northumberland in October, 1766, and whose grandson is the present possessor of the titles.[1]

BEAUCHAMP, WALTER DE.

JUST. ITIN. 1226.

THERE were several noble families of the name of Bello-Campo (*Beauchamp*). That of Walter de Bello-Campo was settled at Elmley Castle, in Worcestershire, of which county his ancestors were hereditary sheriffs. His father, William, died before 13 John, leaving him as yet a minor,

[1] Dugdale's Baronage, i. 252. &c.; Nicolas's Synopsis of the Peerage.

Roger de Mortuo Mari and Isabella, his wife, had a grant of his wardship and marriage on a fine of three thousand marks, the whole of which was not paid so late as 13 Henry III.[1] He had attained his majority in February, 1216, 17 John, for he was then entrusted with the sheriffalty of Worcestershire; but a few months afterwards he joined the barons' party for a short time. He soon, however, recovered the king's favour, but having been excommunicated for his secession, he was obliged to apply to the pope's legate for absolution before his lands were restored to him; and from that time, with a short interval, till his death he retained the sheriffalty.

In 7 Henry III. he obtained the grant of a market for Kibworth, in Leicestershire; and was allowed to have the scutage of his knights and tenants. He was twice selected to perform the duties of justice itinerant; in May, 1226, 10 Henry III., in Gloucestershire; and in January, 1227, 11 Henry III., in Herefordshire, Staffordshire, and Shropshire. For some offence which is not stated he was disseised of his sheriffalty in 14 Henry III., in which year he was summoned to show cause why he had not accounted for the preceding year: but before the close of that year he was reinstated in his office on a fine of six palfreys. The small fine of fifty marks, which he paid in 20 Henry III., does not necessarily prove, as Dugdale suggests, that he had again incurred the king's displeasure; being probably given for a renewed grant of the hereditary office, which the king then made. He died in the same year, 1236, when William, his son, on April 16, did homage for his father's lands, and paid the usual baronial relief of 100*l.* for the livery of them. The son of this William, in 1267, succeeded to the earldom of Warwick, through his mother, Isabel de Mauduit, sister

[1] Dugdale's Baronage, i. 226.; Rot. Claus. i. 534.; Excerpt. e Rot. Fin. i. 185.

of the seventh earl. The twelfth earl was created, in 1417, Earl of Aumarle, for life; and his son was created Duke of Warwick, in 1444, but upon his death without issue that title became extinct. The earldom, however, survived to Ann, his daughter, but was also lost by her death without issue.

From Walter, a younger son of William, the son of this Walter, descended John Beauchamp, created Baron Beauchamp of Powyk in 1447, a title which became extinct in the next generation by the failure of male heirs. But in 1806 it was revived in the person of William Lygon, a descendant through the female line; who, in 1815, was created Viscount Elmley and Earl Beauchamp, and is now represented by his son, John Reginald Pyndar (late Lygon), the third earl.

Another son of the above William was progenitor of John de Beauchamp of Holt, created Baron Beauchamp of Kidderminster in 1387; but this title terminated in 1420, by the death of his sons without issue male.

There were three other baronies derived from the same source: John de Beauchamp of Warwick, extinct in 1360; Stephen de Beauchamp of Essex, extinct in the reign of Richard I.; and Roger de Beauchamp of Bletsho, a barony which fell into abeyance on the death of the last duke of Gordon, in 1836.

William Beauchamp, Lord of Bergavenny, the ancestor of the present Earl of Abergavenny; and another William Beauchamp, Baron of St. Amand, extinct in 1508, were also of the same stock.[1]

[1] Rot. Pat. 153. 192.; Rot. Claus. i. 282. 344. 537. 571., ii. 151. 205.; Excerpt. e Rot. Fin. i. 300.; Nicolas's Synopsis of the Peerage; Madox's Exch. i. 463., ii. 150. 234.

BEAUCHAMP, WILLIAM DE.

B. E. 1234.

THIS William de Beauchamp (Bello-Campo) would seem to be the lord of the barony of Bedford, for livery of which, on the death of his father Simon, in 9 John, he gave five hundred marks and six palfreys. Although he was with the king's army in the expeditions to Scotland in 13 John, and to Poictou in 16 John, he afterwards deserted the royal cause, and entertained the rebellious barons at the castle of Bedford; which, in the following December, was captured by Faukes de Breaute. He was one of the barons who were excommunicated by name; and even on King John's death he did not return to his allegiance, but was taken in arms by the royal forces at the siege of Lincoln, in May, 1217. Before October in that year, however, he made his peace and had restitution of his lands.[1] When the castle of Bedford was destroyed in 1224, in consequence of the resistance of Faukes de Breaute, William de Beauchamp had the site restored to him, with part of the materials to erect a mansion there.[2] In the previous year, 7 Henry III., he was in the expedition to Wales, for his support in which he had a grant of the scutage of the tenants of his different possessions, which were situate in eight counties.[3] He was again engaged in that country in November, 1233, 18 Henry III., and was present when Richard, earl marshal, surprised the king at the castle of Grosmunt, when he and many of his barons narrowly escaped with their lives.

In the following summer, on July 6, 1234, he was assigned to sit at the Exchequer "tanquam Baro;" and his attestation in that character appears three years after that date.[4] In 19 Henry III. he was constituted sheriff of the

[1] Rot. Claus. i. 325, 326.
[2] Ibid. i. 571., ii. 23.
[3] Ibid. 632. 654.
[4] Madox's Exch. ii. 54. 317.

united counties of Bedford and Buckingham, which he held for the next two years.[1]

He lived to a good old age; the fine roll containing an entry of his lands being seized, as usual, into the king's hands on his death, on August 21, 1262, 46 Henry III. He had five years previously settled his estates on his son William, for the king's confirmation of which the latter paid a fine of five hundred marks.[2]

He married three wives: Gunnora, the sister of William de Lamvallei, receiving with her the town of Bromley[3]; Ida, with whom he had the manor of Newport, in Buckinghamshire; and thirdly, in the latter years of his life, Amicia, to whom, soon after his death, the manor of Belcham was committed in tenancy.[4]

Both his sons, William and John, dying without issue, the property was ultimately divided among his daughters.[5]

BELET, MICHAEL.

B. E. 1238.

THERE were two Michael Belets in this reign: one, the son of Robert Belet of Cumbe, who died in 3 Henry III.; and the other, the subject of this notice, who, from his profession, was always called Magister Michael Belet. He was the second son of Michael Belet, the justicier in the time of Henry II., Richard I., and John, of whom I have given some account under the latter reign.[6] In 2 John the king granted to him, as his "dilecto et familiari clerico," the church of Hinclesham; and in 5 John that of Setburgham, in the diocese of Carlisle.[7] In 3 John he paid forty marks for

[1] Fuller's Worthies.
[2] Rot. Chart. 167.
[3] Excerpt. e Rot. Fin. ii. 254. 381.
[4] Excerpt. e Rot. Fin. ii. 383.
[5] Dugdale's Baron. i. 223.; Roger de Wendover, iii. 297. 299. 349., iv. 24. 99. 279.
[6] See antè, p. 37.
[7] Rot. Chart. 75. 134.

having the marriage of Robert de Candos "ad opus sororis suæ;" and on the death of his brother, Hervey Belet, he fined 100*l.* for having the king's butlery [1], which he inherited as attached to his manor of Shene or Richmond in Surrey.

He was some time afterwards disseised of his lordship of Wroxton in Oxfordshire, having incurred, as the record says, the king's "malevolentiam" for some offence which is not named; but in 14 John he recovered his lands and the king's good will by a timely fine of five hundred marks. In the next year, however, the roll says that he is not to be summoned for sixty marks which he still owed for the butlery, "because the king keeps that office in his own hands, and as yet holds it." [2] During King John's troubles he remained faithful to the royal cause, and in the last year of his reign had a grant of the land of Wischard Ledet, who was with the king's enemies.[3]

In the eighth year of the reign of Henry III. he was custos of the rents of the bishoprick of Coventry [4]; and in the tenth was appointed to audit the accounts of the justiciers of the quinzime, being himself one of those assigned to collect it in Northamptonshire.[5] These offices indicate that he was then in the Exchequer: and Madox includes him among the barons of that court, on the authority of a writ attested by him in 22 Henry III., 1238.[6]

He executed the office of chief butler at the marriage of King Henry in the twentieth year of his reign; and founded the priory of Wroxton, for canons of the order of St. Augustine.[7] The date of his death is not stated.

[1] Rot. de Oblatis, John, 180. 358.
[2] Madox's Exch. i. 462. 474.
[3] Rot. Claus. i. 286.
[4] Ibid. 583. 585. 599.
[5] Ibid. ii. 95. 147.
[6] Madox's Exch. ii. 317.
[7] Dugdale's Baronage, i. 6 4-; Monast. vi. 485.

BERKELEY, ARNALD DE.

B. E. 1264.

THERE is no doubt that Arnald de Berkeley was a baron of the Exchequer, as he attests a charter with that title in 48 Henry III., 1264[1]; but I have discovered nothing further about him, except that he had manors in Merkele, Bradefeld, and Brokhampton in Herefordshire, and that a process was issued to the sheriff in 51 Henry III., to enquire if Henry de Caldewell came and took his goods and chattels there.[2]

BERSTEDE, WALTER DE.

JUST. ITIN. 1262. JUST. 1266.

WALTER DE BERSTEDE was sub-sheriff of Kent to Reginald de Cobbeham when he died, in December, 1257, 42 Hen. III., and was appointed to act as sheriff for the remainder of the year, that is, till the following Easter, paying the same rent as Reginald did.[3] In 46 Henry III., 1262, he was one of the justices itinerant into Leicestershire; and the next year into Norfolk, Suffolk, and Lincolnshire. He is placed by Dugdale among the justices of the bench in 50 Henry III. on the authority of a fine levied in February, 1266; and a writ of assize to be taken before him occurs in the following September[4]; soon after which, as no others are recorded, he probably died.

BERTRAM, ROGER.

JUST. ITIN. 1225.

THERE were two noble families of this name in Northumberland; one Bertram of Mitford, and the other Bertram of

[1] Madox's Exch. ii. 319.
[2] Abbrev. Placit. 160.
[3] Excerpt. e Rot. Fin. ii. 268.
[4] Ibid. 446.; Dugdale's Chron. Series.

Bothall; and the Christian name Roger was common to both. The subject of this notice belonged to the former family, and was the son of William de Bertram and Alice de Umfraville his wife.[1] His father died about 1 John, for in that year the guardianship of Roger was granted to William Briwer; but was afterwards transferred to Peter de Brus, who fined thirteen hundred marks for the same.[2] Towards the end of the reign, being found in the ranks of the insurgent barons, his lands and castle of Mitford were given into the custody of Philip de Ulecot, who seems to have resisted the royal order for their restoration, when Roger returned to his obedience on the accession of Henry III.[3] He was obliged, however, to submit, and Roger was reinstated on a fine of 100*l.*[4]

From this time he acted the part of a loyal subject, and was frequently employed as a justice itinerant: viz. in 9 Henry III. in Northumberland; in 10 & 11 Henry III. in Cumberland, and in 18 Henry III. for both these counties, and in Lancashire.[5] He died before May 24, 1242, 26 Henry III., on which day his lands were delivered into the custody of Walter de Crepping on behalf of his son Roger, who did homage for them on June 28, 1246, on attaining his majority.[6] In the reign of Edward II. the barony terminated by the failure of male issue.

BEVERLEY, PROVOSTS OF. *See* WILLIAM OF YORK, JOHN MANSEL, PETER DE CHESTER.

[1] Dugdale's Baronage, i. 543.
[2] Rot. Chart. 48.; Rot. Claus. i. 70.
[3] Rot. Claus. i. 246. 316. 336. 357.
[4] Ibid. 342.
[5] Dugdale's Chron. Ser.; Rot. Claus. ii. 76. 151. 213.
[6] Excerpt. e Rot. Fin. i. 379. 456.,

BEYNVILL, RICHARD DE.

JUST. ITIN. 1225.

RICHARD DE BEYNVILL, or Bayvill, was of a knightly family of the county of Huntingdon, where he held lands of the honour of the Earl of Chester. He was appointed one of the justices itinerant for that county, and Cambridgeshire in 9 Henry III.; and died before November 30, 1238, 23 Henry III., when his three daughters and coheirs, Alicia, Cecilia, and Margaret, were with their husbands admitted to his estates.[1]

BIGOT, HUGH.

JUST. ANGL. 1258.

HUGH BIGOT was a younger brother of the undermentioned Roger, fourth Earl of Norfolk of this name. Of his early life little is recorded except that he married two wives; the first of whom was Joanna, the daughter of Robert Burnet[2]; and the second, Joanna, the daughter of Nicholas de Stuteville, and widow of Hugh Wake: the latter event occurred between 26 Henry III., 1242, when she obtained the custody of her late husband's lands and heirs, with liberty that she herself might marry whom she pleased, for a fine of ten thousand marks, and 32 Henry III., when she is spoken of as his wife.[3]

He received many marks of the king's favour; being made chief ranger of the forest of Farnedale in 39 Hen. III., and governor of the castle of Pickering in the next year. He accompanied the king in 41 Henry III. in his expedition against the Welsh.

But, though it would thus appear that he acted in a mili-

[1] Rot. Claus. i. 77. 209.; Excerpt. e Rot. Fin. i. 316.
[2] Burke's Extinct Peerage. [3] Excerpt. e Rot. Fin. i. 364., ii. 29.

tary capacity, it may naturally be presumed from his being selected by the council nominated at the parliament of Oxford to fill the high station of chief justiciary, that he had originally adopted the profession of the law, and had gained some eminence in it. His brother Roger, the earl marshal, it is true, who took a most prominent part in that movement, would naturally interest himself on the occasion, yet his influence would have been scarcely sufficient to have placed him in so responsible a post, unless his merits had been in some degree conspicuous. The council indeed were afterwards charged with engrossing all offices and emoluments among themselves and their connections; but the appointment of an inefficient person would have been too barefaced, so immediately after they had put forward the want of an able and honest justiciary as one of the greatest of their grievances.

This parliament met at Oxford on June 11, 1258, 42 Henry III., and before the 22d of that month Hugh Bigot had been invested with the dignity; and by a patent granted to him on that day as justiciary, the Tower of London was committed to his charge.[1]

In 44 Henry III., 1159–60, he selected Roger de Thurkelby and Gilbert de Preston, two of the principal judges, as his companions on a circuit from county to county to administer justice throughout the kingdom; and during the king's absence abroad, from November, 1259, till April, 1260, he attested all the mandates on the Fine Roll.[2] He is described by Mathew Paris as "militem illustrem, et legum terræ peritum, qui officium Justitiariæ strenue peragens, nullatenus permittat jus regni vacillare."

Although no complaint was made against him, and he seems to have been zealous and active in the execution of the

[1] Brady's England, App. p. 218. [2] Excerpt. e Rot. Fin. ii. 319—324.

duties of his office, he resigned it about the end of 1260; possibly in order that the council of barons might carry into effect their desire to make it an annual appointment, but more probably because he was dissatisfied with their proceedings; as he afterwards joined the royal party. He was immediately succeeded by Hugh le Despenser, one of his coadjutors on the council.

Of the remainder of Hugh Bigot's life little is narrated; except that he was engaged in the battle of Lewes on May 14, 1264, it would appear on the king's side; and when the rout began, he escaped with the Earl of Warren and others. Their flight is thus described by Peter Langtoft:—

> "The Erle of Warenne, I wote, he scaped over the se,
> And Sir Hugh Bigote als with the erle fled he."[1]

After the battle of Evesham, in the following year, he was replaced in the government of the castle of Pickering.

His death occurred about November, 1266, 55 Henry III., on the 7th day of which month[2] his son Roger did homage to the king at Kenilworth for his father's lands; and on July 25, 1270, 54 Henry III.[3], he was also admitted to the lands of his uncle Roger, Earl of Norfolk, then recently deceased.[4]

BIGOT, ROGER, Earl of Norfolk.

Just. Itin. 1234.

Roger Bigot, the fourth Earl of Norfolk of this name, was at the head of the commission of justices itinerant into Essex and Hertford, issued on August 1, 1234, 18 Henry III.[5]

He was the grandson of Roger Bigot, second Earl of Norfolk, of whom some account has been given in the last reign,

[1] Chron. Rishanger, Camden Soc. 33. 132. 138.
[2] Excerpt. e Rot. Fin. ii. 448. [3] Ibid. 519.
[4] Dugdale's Baronage, i. 135.; Rapin's England, iii. 133. 154.
[5] Dugdale's Chron. Series.

and the son of Hugh, the third Earl, and Matilda, his wife, one of the daughters of William Mareschal, Earl of Pembroke. His father died about February, 1225, 9 Henry III., when he, being a minor, was placed under the wardship of William Longspee, Earl of Salisbury. In the following May, he married Isabella, the sister of Alexander, King of Scotland, to whom, on the Earl of Salisbury's death in the following year, the guardianship of Roger was transferred.[1]

He became eminent for his knightly skill; and was with the king in France in 1242. When the barons determined, in 1245, no longer to submit to the oppressive exactions made on the kingdom by the Pope, he headed those who addressed a letter of remonstrance to the general council then sitting at Lyons, and joined in the dismissal of the papal nuncio from the shores of England.

By the death of the last of the four sons of William Mareschal, Earl of Pembroke, in 1245, their inheritance devolved on their five sisters, of whom his mother, Matilda, was the eldest. To her share the marshalship of England fell, which she transferred to Roger Bigot as her eldest son, the king soon after confirming him in the office.

He was one of the principal actors in the great council held at Westminster in May, 1258, 42 Henry III., when, on the barons appearing in complete armour, the king asked of them, "Am I then your prisoner?" "No, sir," replied Roger Bigot, "but by your partiality to foreigners, and your own prodigality, the realm is involved in misery. Wherefore we demand that the powers of government be delegated to a committee of barons and prelates, who may correct abuses and enact salutary laws." The provisions of Oxford were the consequence of this procedure, in supporting which the earl took a prominent part; his brother Hugh being no-

[1] Excerpt. e Rot. Fin. i. 125. 128. 168.; Rot. Claus. ii. 58.

minated chief justiciary. After the battle of Lewes, Earl Roger was appointed by the barons governor of the castle of Orford.

He died in 54 Henry III., 1270, when, leaving no issue, Hugh's son Roger succeeded to the earldom; but he dying childless in 1307, the title became extinct.[1]

BOCLAND, GEOFFREY DE, Archdeacon of Norfolk, and Dean of St. Martin's, London.

Just. 1217.

See under the Reigns of Richard I. and John.

Geoffrey de Bocland's name as a justicier appears in 7 and 9 Richard I., 1195–7; from 3 to 6 John, 1201–4; and in 3 Henry III., 1218[2], in each of which years fines were levied before him at Westminster, and in 5 Henry III. he was one of the justices itinerant into Hertfordshire.[3] There are also several entries on the rolls showing that he was connected with the Exchequer in the beginning of King John's reign.[4]

About the year 1200 he was appointed to the archdeaconry of Norfolk, which he held till he was advanced by the king to the deanery of St. Martin's-le-Grand, a benefice which he certainly enjoyed in 1216, having received grants in the interim of the churches of Tenham and Pageham.[5]

If he were the "G. de Bocland" to whom a mandate was directed in 15 John, commanding him to let the king have,

[1] Dugdale's Baronage, i. 133.; Spelman's Earl Marshals; Excerpt. e Rot. Fin. ii. 57. 519.; Rapin, iii. 83. 88.; Lingard, iii. 121.

[2] Fines of Richard I. and John; Dugdale's Orig. Jurid. 42.

[3] Rot. Claus. i. 473, 474.

[4] Rot. de Liberat. 2 John, 8.; Rot. de Oblatis, 2 John, 89.; Rot. Chart. 2 John, 99.; Rot. Cancell. 3 John, 14.

[5] Le Neve, 219.; Rot. Chart. 7 John, 156.; Rot. Pat. 7 John, 61.

at the price any others would give for them, the corn, pigs, and other chattels at Berkhampsted which belonged to Geoffrey Fitz-Peter, *his brother*[1] (recently deceased), he was probably a younger brother of William de Bocland, who married the sister of Geoffrey Fitz-Peter's first wife, the daughter of Geoffrey de Say. As there was no other connection between Fitz-Peter and Bocland than this marriage, it would appear that in those times the title of brother was extended by courtesy to the brothers of the wife's sister's husband.

Geoffrey de Bocland seems to have committed himself with the barons in 17 John, as time and safe conduct were granted to him to come before the king, which were twice afterwards renewed[2]; and in the same year his manor of Tacheworth in Hertfordshire was given by the king to Nicholas de Jelland.[3]

On the accession of King Henry, however, he soon returned to his duty, and was restored to his judicial position, acting, as before stated, as a justicier both at Westminster and on the circuit.

The last mention made of his name is in 9 Henry III., when a writ was issued prohibiting further proceedings in a claim made by the Archdeacon of Colchester to the church of Neuport, which is stated to be the greatest and chief part of the deanery of St. Martin's, of which he was then dean.[4] He died between that year and February 4, 1231, 15 Henry III., which is the date of a charter to Walter de Kirkham, then dean thereof.[5]

Blomefield says that he was the archdeacon who was seized in 1209 for declaring that it was unlawful for any person, and especially the clergy, to obey the king in anything after his excommunication, and was thereupon put into a sheet of

[1] Rot. Claus. i. 139.
[2] Rot. Pat. 172. 174. 192.
[3] Rot. Claus. i. 257.
[4] Ibid. ii. 80.
[5] Maitland's London, 767.

lead, by the pressure of which, or for want of sustenance, he died.[1] It is clear, however, if the Archdeacon and the Dean of St. Martin's were one and the same person, that this author must be in error. The story, with more probability, is generally told of the Archdeacon of Norwich, not of Norfolk.

BOHUN, HUMPHREY DE, Earl of Hereford.

Just. Itin. 1260.

Henry de Bohun, the father of Humphrey, was great-grandson of Milo of Gloucester, the first Earl of Hereford, of whom some account has been given under the reign of King Henry I.[2], whose eldest daughter, Margery, and eventually one of his co-heirs, married Humphrey de Bohun, the grandson of another Humphrey, who accompanied the Conqueror into England. After the death of Mahell, Earl of Hereford, her last surviving brother, her grandson Henry de Bohun, in 1199, was created Earl of Hereford, and was constable of England. He married Matilda, the daughter of Geoffrey Fitz-Peter, Earl of Essex, and died in 4 Henry III., 1220.

Humphrey de Bohun then succeeding to the earldom of Hereford, was, on the death of William de Mandeville, his mother's brother, in 1227, without issue, created Earl of Essex.

His life was one career of activity, now boldly demanding from the king a redress of grievances, and now supporting his sovereign in resisting his enemies. He was Sheriff of Kent in 23 Henry III. and the two following years; in 34 Henry III. he took the cross and went to the Holy Land; in 37 Henry III. he was present in Westminster Hall when the formal curse was pronounced with bell, book, and candle, against the violators of Magna Charta. In 41 Henry III., he had the

[1] Blomefield's Norwich, i. 642.

[2] See vol. i. 123.

custody of the Marches of Wales, and it was during the time that he held this office that his name appears, in 44 Hen. III., 1260, as a justice itinerant for the counties of Gloucester, Worcester, and Hereford.[1] In the troubles which shortly followed, he joined Simon de Montford, Earl of Leicester, and was taken prisoner at the battle of Evesham, August 4, 1265, 49 Henry III., while fighting on his side. His former services, however, availed him to obtain a restoration of his lands and honours, with additional marks of favour. He lived till September 24, 1275, 3 Edward I., and was buried in the abbey of Lanthony. He founded the church of Augustine Friars in Broad Street, in the city of London.

He married first, Maud, daughter of the Earl of Ewe, by whom he had a son Humphrey, who died during his lifetime, soon after the battle of Evesham, where he also was taken prisoner; and four daughters. His second wife was called Maud de Avenebury, by whom he had a son, John de Bohun, Lord of Haresfield.

He was succeeded in the earldoms of Hereford and Essex by his grandson Humphrey, whose descendants have been already noticed in the sketch of Milo de Gloucester's life.[2]

BOLEBEC, HUGH DE.

JUST. ITIN. 1228.

HUGH DE BOLEBEC was the second son of Walter de Bolebec, a great baron in Northumberland, by his wife Margaret, one of the sisters and co-heirs of Richard de Montfichet. His elder brother, Walter, dying without issue, Hugh had livery of his estates in 7 John, on the payment of two hundred marks and two palfreys.[3] He was a frequent attendant on

[1] Dugdale's Chron. Series.
[2] Dugdale's Baronage, i. 179-538.; Nicolas's Synopsis of the Peerage.
[3] Rot. de Finibus, 314.

the court, witnessing several charters, assisting his sovereign in his contentions with the barons, and receiving his reward from the lands of their adherents. In 4 Henry III., the county of Northumberland was placed under his charge [1], and he was again sheriff of it in 20 Henry III., when he held it for ten years. He joined the king in his attack on the castle of Bedford in 8 Henry III., and on that account was acquitted of his service of Ward at Newcastle.[2] He was placed at the head of the justices itinerant for the liberties of Durham in 12 Henry III., 1228; but does not seem to have had any subsequent judicial appointment till 46 Henry III., 1262, when he was named as one of the justices itinerant for pleas of the forest. He did not, however, long act in this capacity, as he died in October in that year, leaving his wife Theophania surviving. He had by her a son Hugh, who died unmarried during his father's life; and four daughters, who succeeded to his property. These were Philippa, the wife of Roger de Lancaster; Margery, the wife of Nicholas Corbet, and who afterwards married Ralph, son of William, Lord of Grimethorp; Alice, the wife of Walter de Huntercumbe; and Matilda, then twelve years of age, but united the next year to Robert de Beumys, or Bello Manso, Prince Edward's valet, who paid two hundred marks for her wardship and marriage. After his death she became the wife of Hugh de la Val.[3]

BONQUER, WILLIAM.

Just. 1262.

WILLIAM BONQUER, or Boncour, was employed in 40 He. III., 1255, on a mission to the pope, relative to the election of

[1] Rot. Claus. i. 421. [2] Ibid. 616. 641.

[3] Dugdale's Baronage, i. 452.; Rot. Chart. 179. 220.; Rot. Claus. i. 246. 314.; Excerpt. e Rot. Fin. ii. 385. 387, 388. 393.; Dugdale's Chron. Series.

Prince Edmund to the crown of Sicily; and in May, 1259, 43 Henry III., was again sent to the pontiff on the same subject, and upon the peace with the King of France. In the letter of credence on the latter occasion, he is called "milite et mariscallo regis;"[1] and in the same year he had an assignment from the king of a sum of three hundred marks, which another person had fined, in part satisfaction of thirty librates of land, which had been conferred upon him by a former grant.[2] In 46 Henry III., 1262, a salary of 40*l.* was granted to four justices of the bench, of whom he is the last named; and in that and the next year he acted as a justice itinerant. The fines in which his name appears occur only between November, 1264, and Easter, 1265, 49 Henry III., and as there are only two instances of payments for assizes to be held before him, dated in the following November and December[3], it may be presumed that he died shortly afterwards.

BOREHAM, HARVEY DE.

JUST. 1264.

See under the Reign of Edward I.

BOSCEHALL, WILLIAM DE.

? JUST. ITIN. 1270.

HAD not Dugdale inserted the name of William de Boscehall among the justices itinerant, it would not have been introduced here; because he never appears to have acted in that capacity, except for pleas of the forest in the northern counties in 54 Henry III., 1270[4]; the more especially as nothing has been ascertained relative to him.

[1] Rymer's Fœd. i. 337. 386.; Appendix to Brady's England, No. 187.
[2] Excerpt. e Rot. Fin. ii. 309.
[3] Ibid. 431—432.; Dugdale's Chron. Series.
[4] Dugdale's Chron. Series.

BOTELER, NICHOLAS LE, or PINCERNA.

Just. Itin. 1225.

Nicholas le Boteler, or Pincerna, held land in Filby, in Norfolk, and claimed the right of presentation to the church there, which was decided against him in 2 John.[1] In 17 John he forfeited his possessions for his adherence to the barons; but they were restored to him on the accession of Henry III.[2] In the fifth year of that reign he was excused his scutage on account of his attendance with the army[3]; and in 9 Henry III. he was added to the list of justices itinerant for the counties of Norfolk and Suffolk, in the place of William Fitz-Rosceline, who was originally appointed.[4]

BRACTON, or BRETTON, HENRY DE, Archdeacon of Barnstaple.

Just. Itin. 1245. Just. 1250.

In Dugdale's Chronica Series the names of Henry de Bracton and of Henry de Bretton are separately introduced as justices itinerant, with an interval of fourteen years between them, and with nothing in either insertion apparently leading to a supposition that the one or the other was a justicier at Westminster, or that they were the same person. There is no reasonable doubt, however, that both names belonged to one individual, and that he was for many years a judge of the superior court.

Dugdale makes Henry de Bratton a justice itinerant in 1245 and 1246, 29 Henry III.; and Henry de Bretton a justice itinerant in 1260, 44 Henry III. In the major part

[1] Abbrev. Placit. 31.
[2] Rot. de Oblatis, 2 John, 76.; Rot. Claus. i. 334.
[3] Rot. Claus. i. 475. [4] Ibid. ii. 77.

of the interval between these dates, that is to say, in every year from 1250, 34 Henry III., the entries on the fine roll prove beyond contradiction that there was a regular justicier, whose name is spelled indifferently Bratton and Bretton, and more frequently in the former mode. These are entries of payments made for assizes to be taken before him; and they continue, principally with the name of Bratton, till July, 1267, 51 Henry III.[1] It is thus clear that Bratton and Bretton are synonymous; and there can be little question that Bracton is the same with both. Prince, in his Worthies of Devon, designates the village in that county, in which he supposes Bracton to have been born, as "Bracton, now Bratton-Clovelly;" a name it still retains. Thus is Sir Edward Coke's assertion, in the Preface to the 8th Report, that Bracton was "a justice of this realm," corroborated, as he would hardly have given him that title had he been only a justice itinerant. He styles him, in the Preface to the 9th Report, "Curiæ de Banco Judex;" but if the Common Pleas is to be understood by this expression, its correctness may be doubted; inasmuch as among the fines there levied, none appear to have been acknowledged before him. It seems more probable, if the division of the courts had then been finally arranged, that he was a justice of the King's Bench.

According to Prince, he studied at Oxford, where he took the degree of doctor of both laws. Previous to his appointment in 1245 as a justice itinerant into Nottingham and Derby, he probably practised in the courts; and though it is not impossible that he might then have been a regular justicier, yet it is more likely that he was only selected from among the advocates for his learning to assist the ordinary judges both on this circuit and that in the following year to

[1] Excerpt. e Rot. Fin. ii. 82—458. See also Abbrev. Placit. 34 Henry III., where he and William de Wilton are associated with Roger de Thurkelby, 128.

the northern counties. It was not till four years after the latter date that his name appears on the fine rolls in the manner above alluded to; and as he continues to be so mentioned in each of the next seventeen years, it may be presumed that some instance would have occurred during the four previous years, if he had been then on the bench.

Bracton was certainly of the clerical profession: he is designated "dilectus clericus noster" by the king, in a grant made to him of the use of a house in London belonging to William, late Earl of Derby, during the minority of the heir. This grant is dated May 25, 1254, 38 Henry III., just after the death of the earl.[1] On January 21, 1263, he was collated to the archdeaconry of Barnstaple, but he resigned it in the following year.[2]

It seems probable that his death occurred in or soon after 51 Henry III., 1267, as in that year his judicial duties evidently terminated.

Although Lord Ellesmere, in his argument on the subject of the Postnati, calls him chief justice in the reign of King Henry III.[3], and some other authorities so describe him[4], — there does not appear a single proof that he ever attained that elevation. There is an interval, however, after the death of Hugh le Despenser, in 1265, during which he might possibly have held the office; and it may be remarked as giving some weight to the suggestion, that the appointment of Robert de Brus as chief justice did not occur till March, 1268, a few months after the supposed conclusion of Bracton's career.

Without enlarging, as Prince has done, on the personal reputation of a man, relative to whom so little can be known as an individual, he undoubtedly deserved the character he has obtained as a great lawyer and a learned and accurate

[1] Dugdale's Orig. Jurid. 56.
[2] Le Neve, 98.
[3] State Trials, ii. 693.
[4] Bale; Biog. Britan.

writer. His work "De Legibus et Consuetudinibus Angliæ," "is a finished and systematic performance, giving a complete view of the law in all its titles, as it stood when it was written." Reeve, from whom this extract is taken, gives an analytical abstract of the several divisions of his chapters, and assists the student by an ample digest of their contents. He considers Bracton as far superior to Glanville; praises his style as clear, expressive, and nervous; and resists the attempt to throw discredit on his fidelity as a writer on the English law, which has been grounded on his reference to the Roman code, showing that it is rather alluded to for illustration and ornament, than adduced as authority.[1] His omission of the regulations made by the statute of Marlbridge affords internal evidence of his work having been written before the fifty-second year of Henry's reign, and greatly corroborates the preceding suggestion as to the period of his death.

Mr. Selden's opinion that the work called "Britton" is only an abridgement of Bracton, derives weight from the name of the latter being very frequently called Bretton.[2]

BRAYBROC, HENRY DE.

JUST. ITIN. 1224. JUST. 1227.

HENRY DE BRAYBROC was the eldest son of Robert de Braybroc, the baron and justicier mentioned in the last reign, with whom he was united in the sheriffalties of Rutland, Northampton, and Buckingham and Bedford, for the last two or three years of his father's life; but in 16 John he held them alone. Up to this period he had supported the king throughout his difficulties; but in that year (probably on his father's death) he united with the barons, and took so

[1] Reeves's Hist. of the Eng. Law, ii. 86. [2] Ibid. 281.

leading a part that he was excommunicated by name, and the whole of his possessions seized into the king's hands. At the death of John he still continued in rebellion, and successfully resisted the royal forces at the castle of Montsorel.[1] On the ultimate retirement of Prince Louis, however, he returned to his allegiance, and in September, 1217, 1 Hen. III., his lands were restored to him.[2]

For the next seven years no mention is made of him except the payment, in 6 Henry III., by him and his wife Christiana, of 100*l.* for the relief of the lands which belonged to her as daughter and heir of Wischard Ledet and Margaret his wife.[3] Two years afterwards he came more prominently on the scene. Having been appointed, in 8 Henry III., one of the justices itinerant to take the assizes of novel disseisin for the counties of Buckingham and Bedford, at Dunstable[4], he and his associates fined Faukes de Breaute 100*l.* on each of more than thirty verdicts found against him for violent seizure of the property of his neighbours. Faukes having hitherto acted with impunity, was too self-willed to submit tamely, but on the instant directed his brother William, with all the garrison of Bedford Castle, to seize the judges and put them into strict confinement. They all escaped, however, except Henry de Braybroc, who was taken and carried to the castle, where, though no injury was done to his person, he was treated with the greatest indignity. His wife immediately appeared before the parliament then sitting at

[1] Roger de Wendover, iii. 237. 301. 356.

[2] Rot. Claus. i. 321.

[3] Excerpt. e Rot. Fin. i. 80.

[4] Rot. Claus. i. 631. The justices named in this commission are Thomas de Heyden, Henry de Braibroc, Robert de Laxinton, and Warin Fitz-Ivel (Fitz-Joel); and they were to meet at Dunstable on the morrow of the Trinity, which would be June 10, 1224. Roger de Wendover (vol. xx. p. 94.) says that the two justices who escaped were Martin de Pateshull and Thomas de Muleton. As no record, however, appears showing that they were subsequently added, it may be doubted whether the historian is correct.

Northampton, and loudly calling for justice, the indignant king took the most active measures to avenge the affront. Proceeding with a formidable force at once to Bedford, he demanded the release of the incarcerated judge, which was boldly refused. A regular siege then commenced, on June 16, and so stoutly was the castle defended, that it was not till August 15 that the garrison were forced to submit; when, so high was the king's indignation raised, that he ordered Faukes's brother, William, who had been left in command, with several other knights, to be hanged on the spot.[1] Henry de Braybroc was thus released, and was afterwards employed to see the castle totally destroyed, and the materials distributed according to the king's order.[2] In the following year he was again appointed justice itinerant for the same counties; and in 10 Henry III., for the counties of Lincoln and York[3], in the former of which his wife had property. He is mentioned as "Justiciarius de Banco" in a record of 11 Henry III.; and Dugdale quotes a fine levied before him two years afterwards.[4]

He died before June, 1234, 18 Henry III., as in that year his widow paid a fine for permission to marry whom she pleased.[5] They had two sons: Wischard, who afterwards took his mother's name of Ledet; and John, who retained the name of Braybroc. The son of the former died without male issue. One of the descendants of the latter was Sir Reginald Braybroc, who, in the reign of Henry IV., married the heiress of the Lord Cobham.[6]

[1] Roger de Wendover, iv. 94.
[2] Rot. Claus. i. 632. 652. 655.
[3] Ibid. ii. 77. 151.
[4] Madox's Exch. ii. 335.; Dugdale's Chron. Ser.
[5] Excerpt. e Rot. Fin. i. 258.
[6] Dugdale's Baron. i. 728.

BREAUTE, FAUKES DE.

Just. Itin. 1219.

The only instance which Dugdale adduces of this powerful baron having acted in a judicial character, is that a fine was levied before him and others at Westminster on the feast of St. Margaret, 3 Henry III., July 20, 1219. It appears, however, that he and his associates were only justices itinerant, of whose sitting at Westminster there are several other examples.

Fuller says that he was a native of Middlesex, and that his family were named "de Brent," from the rivulet so called in that county. Mathew Paris, on the only occasion in which he gives him a surname, also calls him "de Brent," but he describes him as a bastard, born in Normandy. This seems to be supported by the fact that for eight years after 7 John (when he is first mentioned [1]), he is never described except by his Christian name, Falcasius or Fulco. Neither does Roger de Wendover add any surname. Dugdale, both in his *Baronage* and *Chronica Series*, calls him "de Breant:" but the rolls, after 15 John, invariably name him "de Breaute," or "de Braute." The probability is, that this name was given him from a town so called in the department of the Lower Seine.

In 7 John he appears to have been in the king's service, and to have been sent with others to Poictou with one thousand marks [2]; in 10 John he was Sheriff of Glamorganshire, and was actively employed in the Welsh Marches [3] until the fifteenth year of that reign. He then was sent with the Earl of Salisbury and others on a mission to Flanders, taking with them ten thousand marks.[4] Zealously

[1] Rot. Pat. 59.
[2] Rot. Claus. i. 119—136.
[3] Ibid.
[4] Ibid. 139. 145.; Rot. Pat. 100, 101.

supporting King John in the wars with his barons during the last years of his reign, he was one of the generals left to check them in London when the king marched to the North in 1215. In the following November he took the castle of William Malduit, of Hamslape, and a few days afterwards that of Bedford.[1]

In reward for his energetic proceedings the king granted to him the latter castle, and also gave him in marriage a rich but unwilling bride, Margaret, daughter of Warin Fitz-Gerold, and widow of Baldwin de Ripariis[2], or de Betun, Earl of Albemarle, the son of William, Earl of Devon, together with the wardship of her son Baldwin, and the custody of his lands. Part of these were in South Lambeth, where he built a hall or mansion-house, which was called by his name, and is termed Faukeshall, or "La Sale Fawkes," in 10 Edward I. It is mentioned in the charter of Isabella de Fortibus, Countess of Albemarle and Devon, and Lady of the Isle of Wight, dated in 1293, by which she sold her possessions to King Edward I.; and preserving its name ever since, it has been long known as a favourite place of suburban entertainment.[3] Faukes was also appointed seneschall to the king[4], and obtained a mandate for all constables to treat him hospitably when he came to their castles.[5] Other favours flowed in upon him; the castles and sheriffalties of Oxford, Northampton, Bedford and Buckingham, and Huntingdon and Cambridge, were entrusted to him; and he continued to hold them for the first eight years of King Henry's reign.

[1] Roger de Wendover, iii. 347. 349.

[2] Dugdale's account is very confused. This Baldwin was the third husband of Hawise, daughter and heir of William, Earl of Albemarle, and he makes her (Baronage, i. 63.) survive him; while he relates (p. 743.) the marriage of Margaret with Faukes de Breaute as above. So that, according to this author Baldwin must have left two widows.

[3] Archæological Journal, iv. 275.

[4] Rot. Claus. i. 190., &c.

[5] Rot. Pat. 135.

Nor was his brother Nicholas omitted, to whom King John gave a sum of thirty marks [1], and assigned him a house in Oxford, belonging to Isaac, a Jew.[2]

On the accession of Henry III. his bravery was instrumental in securing the throne to him, by the assistance he gave at the siege of Montsorrel, and his conduct in raising the siege of Lincoln, where his valour led him so far into the fight that he was taken prisoner, and the fortune of the day might have been turned had he not been rescued by his men. But, although valiant and courageous, he was brutal and oppressive. The violence of his character had been already shown by a night attack on the unoffending town of St. Alban's, when he plundered the place, put the people in chains, killed a man who had fled for refuge to the abbey; and by a threat to consume that edifice and the whole town by fire, he extorted a fine of a hundred pounds of silver from the abbot. Not only during the war was he cruel in his exactions, but even after the peace with Louis had been completed, and the rebellious barons had returned to their allegiance, the desire of plunder would not allow him to desist from the most arbitrary exactions. When the king was declared of full age, and was advised to resume the custody of his castles, Faukes was one of those who joined with the Earl of Albemarle in resisting the mandate; but he was at last compelled to submit. During the whole of this time, however, he received many proofs of royal favour, showing that his services were too valuable, and he too powerful, to permit his delinquencies to be examined with strictness. His reliance on the impunity which attended his other misdeeds increased his boldness, until his presumption betrayed him into excesses which were fatal to him. His tyranny and violence became so oppressive that his

[1] Rot. Pat. 115.

[2] Rot. Claus. i. 147.

neighbours at last resisted; and proceeding against him in the king's court, three judges were sent down to try the cases at Dunstable, where no less than thirty verdicts were found against him, and fines of 100*l.* in each of them were imposed.

The haughty baron resolved to be revenged, and sent his brother William with a band of his followers to seize the judges. Two of them, Martin de Pateshull and Thomas de Muleton, escaped: the third, Henry de Braybroc (against whom it is not unlikely that he had a peculiar animosity, as he was his predecessor in the sheriffalty of several of his counties) was unluckily captured and taken to Bedford Castle, where he was treated with every indignity. When this outrage was communicated to the council, then sitting at Northampton, they proceeded on the instant to his chastisement. His castle at Bedford was taken, though not till after two months' siege, and William, the brother of Faukes, with twenty-four other knights, was hanged. Faukes himself escaped into Wales, but not succeeding in enlisting any powers in his cause, and hearing that the king had confiscated all his possessions [1], he prepared to return. The king issued an order to the sheriffs of Shropshire and Staffordshire to seize him and his followers.[2] He however reached the court in safety, and placing himself at the royal mercy, gave up into the king's hands all his property and possessions.[3] Delivered into the custody of Eustace de Fauconberg, Bishop of London, his case was heard in the following March, 1225, whereupon the nobles, preserving his life in consideration of his former services, banished him the realm for ever. On landing in Normandy he was taken before the King of France, where he again narrowly escaped a disgraceful death; but being signed with the cross, he was permitted to proceed

[1] Excerpt. e Rot. Fin. 8 Henry III., i. 117.
[2] Rot. Claus. i. 632. [3] Rymer's Fœd. i. 175.

on his journey to Rome. There he induced the pope to interfere with King Henry on his behalf; but that monarch was inexorable: and the life of Faukes, about 1228, was terminated by poison administered in a fish at St. Ciriac.

Whether a divorce had been pronounced on his wife's petition previous to his banishment does not appear; but the manor of Whitchurch, in Berks, was assigned to her for her support, and she was allowed to answer to the king for all the debts owed to him at the rate of three hundred marks a year. The close rolls contain numerous entries of the restoration of lands to their possessors, from whom Faukes had unjustly seized them.

His daughter Eve married Lewellyn-ap-Jorwerth, Prince of North Wales.[1]

BRETON, JOHN LE, afterwards Bishop of Hereford.

Just. 1266.

John le Breton was the son of the undernamed William le Breton, or Brito, on whose death in 1261, 45 Henry III., he did homage for the lands his father held *in capite*, paying a relief of 10*l.* for his livery.[2] He pursued his father's profession of the law, and was at the same time brought up to the church. He was raised to the judicial bench at the latter end of 50 Henry III.; for there are entries of payments for assizes to be made before him in September, 1266.[3] In the next year, the keeper of the wardrobe was directed by the king to supply "Johanni le Breton et Henrico de Monteforti, justiciariis suis," with the full robes which the other judges were accustomed to be provided with.[4] In 52 Henry III.

[1] Dugdale's Baronage, i. 743.; Fuller's Worthies, Middlesex; Rapin, iii. 10—26.; Roger de Wendover, iv. 10—137.

[2] Excerpt. e Rot. Fin. ii. 349.

[3] Ibid. 430.

[4] Selden's Notes to Hengham Magna, 5.

he went the circuit, with Gilbert de Preston and two others, into eleven northern counties. Up to this time Dugdale classes him as a Justiciarius de Banco, or of the Common Pleas; but in the next year, 53 Henry III., 1268–9, he removes him into the King's Bench.[1] The entries of assizes before him continue till the end of December, 1268, or beginning of January, 1269, but none occur afterwards.[2] On the 13th of the latter month, the king consented to his election as Bishop of Hereford, when he no doubt retired from the bench. He was consecrated in the following July, and presided over the see about six years; dying in May, 1275, 3 Edward I.[3]

The work called "Britton," which is a compendium of the English law, was at one time attributed to this judge and bishop. But from the contents it is manifest that it must have been written after 13 Edward I.; inasmuch as the author cites a statute passed in that year, as well as another enacted in 6 Edward I., both of which periods were subsequent to the bishop's death. The work has been considered by others, and this seems the better opinion, to be little more than an abridgment of Bracton, with the addition of the subsequent alterations in the law; and the probability of this acquires greater weight, when it is remembered that Bracton's name was sometimes written Britton, or Bretton.[4]

BRETON, WILLIAM LE, or BRITO.

JUST. ITIN. 1248. JUST. 1249.

WILLIAM LE BRETON, or, as he is frequently called in the earlier part of his life, Brito, was the grandson of Ralph

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 430—482.
[3] Godwin de Præsulibus.
[4] Selden's Notes to Hengham Magna, 5.; Reeves' History of the English Law, ii. 280.

Brito, mentioned as a justice itinerant in the reign of Henry II. He succeeded to the manor of Chigwell, in Essex, on the death of Robert Brito, his father; and in 2 John, being then a minor, an assize was directed to inquire whether that manor belonged to him hereditarily, or to Geoffrey de Chigwell, whose uncle was alleged to have mortgaged it; the proceedings in which assize were ordered not to be stayed on account of William's nonage.[1]

William evidently joined the insurgent barons against King John, and lost his land, as it was restored to him on returning to his allegiance in 1 Henry III.[2] He afterwards was engaged in various ways in that king's service: fifty marks were paid out of the treasury to him and another, in 6 Henry III., to purchase robes for the use of the king[3]; and two years subsequently he held a judicial appointment in the court at Durham, he and his associates being commanded not to hold plea on any writ of the bishop which his predecessors had not been accustomed to issue.[4] In 10 Henry III. he was attached to the end of the list of those who were appointed to assess the quinzime in Essex and Hertfordshire.[5] The word "clericus" is added to his name, but as he is never otherwise mentioned as an ecclesiastic, and as the same designation is given to the person placed at the bottom of the list for each of the counties, it is not improbable that the word in these instances is only used in an official sense. In the same year he seems to have had some regulation of the ports, as he is directed to allow a person to send his corn in a ship to London, taking security that it is carried nowhere else.[6]

From 11 to 16 Henry III. he held the sheriffalty of Kent in conjunction with Hubert de Burgh.[7]

[1] Madox's Exch. i. 424.; Abbrev. Placit. 25. 29.
[2] Rot. Claus. i. 332.
[3] Ibid. 492.
[4] Rot. Claus. i. 631.
[5] Ibid. ii. 147.
[6] Ibid. ii. 118.
[7] Hasted's Kent, i. 180.; Fuller's Worthies.

His next advance was to the office of one of the justices or custodes of the Jews, to which he was appointed on July 6, 1234, 18 Henry III., and which he still held three years afterwards.[1]

Although William Brito is never noticed by Dugdale as a regular justicier, and only inserted in his list of justices itinerant, it is manifest that he held the former position, and it is probable that he was appointed to it in the same year he acted as a justice itinerant in the county of Surrey, 32 Henry III., 1248.[2] In the next year there are not only writs of assize to be taken before him, as before the other judges, but he was also united with the same associates as in the last, in three several commissions. His circuits continue till 1256, 40 Henry III.; but the writs of assize have his name inserted as late as August, 1259, 43 Henry III.[3]

He died before April 26, 1261, on which date his son and heir, the last-mentioned John le Breton (for he was at this time principally known by this name), did homage for his lands, paying 10*l.* for his relief.[4]

BRETTON, HENRY DE. *See* BRACTON.

BRITO, RANULPH.

? CHANCELLOR, 124 . .

RANULPH BRITO was chaplain to Hubert de Burgh, the chief justiciary, in 5 Henry III., 1221, when a payment was made to him under that designation; besides many others up to the eleventh year of the reign.[5] He afterwards became a canon of St. Paul's. In 7 Henry III. he assessed

[1] Madox's Exch. i. 234., ii. 317.
[2] Dugdale's Chron. Series.
[3] Excerpt. e Rot. Fin. ii. 57—309.
[4] Ibid. 349.
[5] Rot. Claus. i. 457., ii. 184.

the tallage in Wilton, and appears to have been about the king's person, as in the ninth year he had an order for the repayment of ten marks, with which he had accommodated the king to pay some messengers.[1] A grant was made to him in 11 Henry III. of the wardship of the land and heir of Roger de Brunceslegh[2]; and another in the same year, of part of the wood of Engayne, in Blatherwick, and in Dudinton, Northamptonshire, to hold by the service of a pair of gilt spurs.[3]

Having, by the influence of his patron, Hubert de Burgh, been raised to the treasurership of the chamber of the Exchequer, he was, at the instigation of Peter de Rupibus, Bishop of Winchester, dismissed from the office in 1232 for fraud and corruption, and fined in no less a sum than 1000*l.*[4] The wily bishop, who was then endeavouring to disgrace the justiciary, was not sorry to find this opportunity of annoyance, especially as the vacant place was secured for his nephew, or son, Peter de Rivallis. Henry, in his first anger, had banished Ranulph Brito from the kingdom; but within two months, on payment of the fine, restored him to favour, though not to his place.[5]

His death occurred in 1247, and the words "Cancellarius specialis," used by Matthew Paris in recording that event, occasioned by a fit of apoplexy while looking on at a game of dice, seem the only warrant for Dugdale and others introducing him into the list of chancellors, although, according to the construction of the sentence, the words appear rather to intimate that he was chancellor to the queen. None of the records describe him as the king's chancellor; and Mr. Hardy has accordingly omitted the name in his catalogue.

[1] Rot. Claus. ii. 47.
[2] Excerpt. e Rot. Fin. i. 159.
[3] Rot. Claus. ii. 173.
[4] Roger de Wendover, iv. 244.
[5] Rot. Fin. 16 Henry III., m. 3 and m. 2.
[6] Excerpt. e Rot. Fin. 31 Henry III., ii. 9.

Lord Campbell, by mistake, calls him Bishop of Bath and Wells.

BRITO, WILLIAM. *See* BRETON.

BRIWER, WILLIAM.

JUST. 1217.

See under the Reigns of Henry II., Richard I., and John.

THIS great man, who was in the confidence of four successive monarchs, is said by Camden to have been a foundling, and to have received his name from having been discovered by Henry II. on a heath (*bruyere*), while hunting in the New Forest. The king, he says, caused him to be taken up and placed under proper care; and when he arrived at man's estate employed him in his service. Unfortunately for this romantic tale, Dugdale's account of him, if correct, proves that it is not founded on truth. He says his father was Henry Briwer, and quotes a charter of Henry II., confirming to William Briwer and his heirs certain possessions and privileges, with the forestship of the forest of De la Bere, in as ample a manner as his father held them in the times of King William and King Henry I. However this may be, in 26 Hen. II., 1180, he was entrusted with the sheriffalty of Devonshire, which he continued to hold till 1 Richard I.

His judicial career commenced in 33 Henry II., 1187, when he was associated as a justice itinerant with Hugh Bardolf and Thomas de Husseburn in fixing the tallage in Wiltshire.[1] He acted in the same character in 1 Richard I. in Cornwall and Berkshire[2], and in 9 Richard I. in Nottingham and Derby.[3] After the introduction of fines, his name is found among the justiciers before whom they were

[1] Madox's Exch. i. 634. Pipe Roll, 1 Richard I., 115. 185.
[2] Madox's Exch. i. 733.

levied at Westminster and other places, during the last four years of Richard's reign, and most of the years of that of John[1]; and he is mentioned as a baron of the Exchequer as late as 5 Henry III., 1221.[2]

That he attained an early character for wisdom and prudence may be inferred from the fact, that King Richard, on his embarkation to the Holy Land, although he exacted from him a fine for not joining in the crusade, named him as one of the council to assist the Bishops of Durham and Ely in the government of the kingdom during his absence. Acting against the latter when the king's letter authorised the council to assume the government, he was included in the sentence of excommunication which the bishop induced the pope to pronounce against the supporters of the Earl John. All doubt of his loyalty, however, was removed by the hearty assistance he gave to release his sovereign from captivity; and the king's confidence in him is proved by his being selected as one of the ambassadors then sent to make a league with the King of France. In this reign also he was for several years sheriff, not only of Devonshire, as in Henry II.'s time, but likewise of Oxford and Berkshire, Derby, Nottingham, and Hampshire. In these counties he acted also under King John, besides holding the same office for Dorset, Somerset, Sussex, and Wiltshire.

He was evidently a special favourite with both these kings, the rolls teeming with grants of all kinds: of manors, lands, markets, custodies, wardships, licences for building castles, and of various other privileges; besides presents of wine, and on one occasion of a captured ship.

In frequent attendance on King John, he accompanied him to Ireland, dined with him at his table, eating flesh on certain

[1] Fines of Richard I. and John. [2] Madox's Exch. i. 675.

prohibited days, for which indulgence money was given to the poor[1]; and, adhering to him in all his troubles, he was a witness to his renunciation of the crown to the pope. When the king marched northwards in 1215, he was one of those entrusted with the command of the forces left to check the barons remaining in London; and on several occasions till the end of the reign justified the royal confidence by the exertions which he made on behalf of his sovereign.

These exertions were continued on the accession of Henry III. till Prince Louis was forced to retire from the kingdom. Rewards still flowed upon him; and at various times he was appointed governor of the castles of Bolsover, Lidford, Devizes, and Newcastle-upon-Tyne. In 5 Henry III. he was appointed Sheriff of Gloucestershire.

He seems to have been an uncompromising supporter of the king's prerogative. Roger de Wendover relates[2], that when Archbishop Stephen and the nobles in 1223 urged the king to confirm the liberties and rights for which they had contended with his father, William Briwer exclaimed, that "Those liberties having been violently extorted, ought not to be observed." The archbishop, however, mildly reprimanded him, and the king wisely promised to keep the oath he had taken to grant them.

His career of prosperity was only terminated by his death, which occurred previous to December 1, 1226, 11 Hen. III., on which date he is mentioned on the close roll as lately deceased.[3] He was buried in the abbey of Dunkeswell, in Devonshire, which he had founded for Cistercian monks.

It would be an useless and almost interminable labour to give a list of his various landed possessions in six different counties. His riches and his piety may be estimated by the

[1] Rot. Misæ, 11 John, 110, 111.; Cole's Documents, Rot. Misæ, 14 John, 248. 262., &c.

[2] Roger de Wendover, iv. 83.

[3] Rot. Claus. ii. 160.

following works: — Besides the above abbey of Dunkeswell, he founded that of St. Saviour at Torre, in the same county, for Præmonstratensian canons; the priory of Motisfont, in Hampshire, for canons regular of St. Augustine; and a hospital for twelve poor people, besides religious and strangers, at Bridgewater, in Somersetshire; where he also built a castle, constructed a haven, and began a handsome bridge.

He married Beatrix de Vallibus, by whom he had two sons and five daughters. Richard, the elder son, died in his father's lifetime; and William, the second, survived him only five or six years; whereupon the inheritance was divided among the five daughters and their heirs.[1]

The Bishop of Exeter, of the same name, is stated to have been his cousin.

BROK, LAURENCE DEL.

Just. 1268.

Laurence del Brok was an advocate, evidently standing very high in his profession. As early as 38 Henry III., 1253, he was employed on the part of the crown; and there are no less than seventeen entries in that year in which he acted for the king in suits before the court. For an interval of seven years his name does not again occur; but in 45 Henry III., 1260, he seems to have resumed his position, and to have been regularly engaged on the king's behalf until Christmas, 1267, 52 Henry III.[2] That he was raised to the bench before the following February, appears from assizes being directed to be taken before him in that month: but as they only continued till May in the following year[3],

[1] Dugdale's Baronage, i. 700.; Nicolas's Synopsis.
[2] Abbrev. Placit. 129—137. 151. 159. 166. 174.; Madox's Exch. i. 100.
[3] Excerpt. e Rot. Fin. ii. 437—489.

and no subsequent entry occurs respecting him, he probably died soon after.

BRUS, PETER DE.

JUST. ITIN. 1226.

PETER DE BRUS, or Bruis, was descended from Robert de Brus, a valiant Norman knight, who accompanied William the Conqueror on his invasion of England, and whose prowess was rewarded with no less than ninety-four lordships in Yorkshire, of which Skelton was his principal seat. The lordship of Annandale was afterwards added to the family by the marriage of Robert's son Robert to the heiress of that large property, which on his death devolved on William, the eldest son of that marriage, from whom descended Robert de Brus, or Briwes, afterwards noticed as a justicier in this reign; while the English estates became the inheritance of Adam, the second Robert's eldest son by a first marriage. After two Adams, there were four Peters in succession, of whom the subject of the present notice is the third. His father was a strong adherent to Prince Louis of France, when he was introduced by the barons in rebellion against King John, and gave him powerful aid in Yorkshire. His mother was Helewise, one of the sisters and co-heirs of William de Lancaster, of Kendal, a justice itinerant in this reign. He did homage for his father's estates in February, 1222, 6 Henry III., paying 100*l.* for his relief, and forty marks for the wapentake of Langebury. He married Hillaria, the eldest daughter of Peter de Mauley.[1]

He was one of the justices itinerant appointed for the county of Northumberland on June 30, 1226, 10 Henry III., after which no further mention is made of him till Nov. 15, 1240, 25 Henry III., when his son, the under-mentioned

[1] Dugdale's Baronage, i. 447.; Brydges' Collins' Peerage, v. 107.

Peter, fined two hundred marks on having livery of the lands of which his father was seised on the day when he commenced his journey to the Holy Land; where, probably, he died.[1]

BRUS, PETER DE.

JUST. ITIN. 1268.

THIS Peter de Brus was the son of the preceding Peter, by Hillaria his wife; and was admitted to his patrimonial possessions in 25 Henry III., when his father proceeded to the Holy Land. In 31 Henry III., these were greatly increased by the share he received as one of the heirs of William de Lancaster, whose sister, Helewise, had been the wife of his grandfather, when the manor of Kirkby, in Kendal, was assigned to him as his capital messuage. In the commission issued to the justices itinerant in 52 Henry III., 1268, for the northern counties, Peter de Brus was specially added for the county of York.[2] In the next year he was appointed constable of the castle of Scarborough. His death occurred on September 18, 1272, a few days after which his lands were, as usual, taken into the king's hands.[3] He left no issue, so that his four sisters divided his property.[4]

BRUS, ROBERT DE.

JUST. 1250. CH. K. B. 1268.

ROBERT DE BRUS was the fifth lord of Annandale, to which he succeeded in 29 Henry III., 1245, on the death of his father, Robert the Noble, who, by his marriage with Isabel, the second daughter of Prince David, Earl of

[1] Rot. Claus. ii. 151.; Excerpt. e Rot. Fin. i 80. 332.
[2] Dugdale's Chron. Series.
[3] Excerpt. e Rot. Fin. ii. 7. 582.
[4] Dugdale's Baronage, i. 449.

Huntingdon and Chester, grandson of David I., King of Scotland, became one of the greatest subjects in Europe.[1] From June till October, 1250, 34 Henry III., there are entries of payments made for assizes to be taken before him, and his name also appears upon fines, showing that he acted as a justicier at that time. There is then an interval of seven years; when, on April 13, 1257, 41 Henry III., he was associated with Simon de Wauton and his companions, justices of the bench; and in 46 Henry III., had a grant of 40*l.* a year. Assizes were paid for, and fines levied before him in 41 and 42 Henry III., and he went the circuit into several counties in 45, 46, and 47 Henry III.: in the two latter years being placed at the head of the commissions.[2]

In 1263, 47 Henry III., during the contest between the king and the barons, Robert de Brus stood firm to his royal master, with whom he was taken prisoner at the battle of Lewes, on May 14, 1264.[3]

In October, 1266, 50 Henry III., the payments for assizes before him are resumed, and continue, omitting the fifty-fourth year, till August, 1271, 55 Henry III. But on March 8, 1268, 52 Henry III., he was appointed "Capitalis Justiciarius ad placita coram Rege tenenda;" being the first who was distinctly constituted Chief Justice of the King's Bench. He had a salary of one hundred marks assigned to him; and in the same year he stands at the head of the commissions for visiting several counties.[4]

King Henry died in the following November; but Robert de Brus does not appear to have been replaced on the judicial bench on the accession of Edward I. Nothing is related of his career during the eighteen years which intervened before

[1] Brydges' Collins' Peerage, v. 111.
[2] Excerpt. e Rot. Fin. ii. 79—89., and 265—284.; Dugdale's Chron. Series.
[3] Rapin's England, iii. 154., note.
[4] Excerpt. e Rot. Fin. ii. 446—545.; Dugdale's Chron. Series.

he became a competitor for the crown of Scotland on the death of Queen Margaret, in 1290. The several claimants who then came forward were eventually reduced to two: John Balliol, the representative of the eldest daughter of David, Earl of Huntingdon; and Robert de Brus, the descendant of the second, but one degree nearer the common stock. The decision was referred to King Edward, who, in 1292, determined in favour of Balliol, who was accordingly declared king. Robert de Brus, however, would never acknowledge his title; but retiring in disgust, he died at his castle of Lochmaben in 1295, and was buried at the monastery of Gisburne in Cleveland, which had been founded by his ancestor, the first Robert.

By his wife Isabel, the daughter of Gilbert de Clare, Earl of Gloucester, he had three sons: Robert, Bernard, and John. Robert's son, Robert, eventually succeeded in securing the Scottish crown, by the signal victory obtained at Bannockburn over the forces of Edward II., on June 24, 1314.

The family of Bernard, the second son, failed in the male line about the end of the reign of Edward III.

The third son, John, was the progenitor of a long line of eminent knights, one of whom, Sir Edward, was created Lord Bruce of Kinloss, by King James VI. of Scotland, on February 22, 1603, about a month before he succeeded to the English throne. John's second son, Thomas, was raised to the earldom of Elgin, in Scotland, in 1633, and made a Baron of England in 1641, by the title of Lord Bruce of Whorlton. Thomas's son was created Earl of Aylesbury in 1664; but that title became extinct in 1747. The last earl had, however, obtained another barony in 1746, to which, by a special limitation, his nephew, the youngest son of the last earl's sister, Elizabeth, the wife of the Earl of Cardigan, succeeded. He was created Earl of Aylesbury in 1776; and a

marquisate was added, on July 17, 1821, to the titles of the second earl, the present peer.[1]

BURGH, HUBERT DE, EARL OF KENT.

JUST. ANGL. 1216.

See under the Reign of John.

THIS distinguished man traced his ancestry as high as the Emperor Charlemagne; from whose fifth son, Charles, Duke of Ingeheim, descended Harluin de Burgh, who married Herleva or Arlotta, the mother of William the Conqueror, and had by her two sons, both of whom have been already noticed; viz. Odo, Bishop of Bayeux and Earl of Kent[2], and Robert, Earl of Moreton and Cornwall.[3] Robert's son, William, who rebelled against Henry I., principally on account of that monarch's refusal to recognise his claim to the earldom of Kent as Odo's heir, and, being defeated, was not only deprived of his eyes, but imprisoned for life, is stated to have left two sons; one of whom being John de Burgh, the father of Hubert.[4] But as the same account states that Aldelm, the elder brother of this John, was father of William Fitz-Aldelm[5], the justicier in the reigns of Henry II. and Richard I., and the progenitor of the house of Clanricarde, there is evidently some error in deducing the descent. William, Earl of Moreton, having been taken prisoner in 1106, could scarcely have had any children afterwards; and the commencement of Hubert's career, about 1199, leaves too long an interval to warrant the belief that his father was the earl's son. It may therefore be fairly presumed that a generation has been omitted; and that Earl William's son, Aldelm, was father both of William Fitz-

[1] Brydges' Collins' Peerage; Nicolas's Synopsis of the Peerage.
[2] See vol. i. p. 68.
[3] See vol. i. p. 46.
[4] Biographie Universelle; Burke's Peerage.
[5] See vol. i. p. 357.

Aldelm and of John de Burgh; or that John de Burgh's father was a second son of Earl William: in both cases making Hubert great-grandson, instead of grandson, of Earl William.

From an early period of his life, Hubert was in the service of Richard I.; and in the first year of King John's reign, he was sufficiently prominent at court to be one of the pledges on his sovereign's part, that the convention with Reginald, Earl of Bologne, should be faithfully kept; and to be a witness to a royal charter.[1] In the same year he was raised to the office of king's chamberlain; and is so designated, for the first time, in a charter, dated April 28, 1200, confirming a convention made between him and William de Vernon, Earl of Devon, on his marriage with Johanna, the earl's younger daughter; by which the Isle of Wight and Christchurch were assigned as her portion.[2]

From this period he advanced rapidly in the royal favour. In the next year the castles of Dover and Windsor were committed to his charge; he was appointed sheriff of Dorset and Somerset, with two deputies under him[3], and he was entrusted with the custody of the county and castle of Hereford[4], and the office of warden of the Marches, for the defence of which the king gave him a hundred knights.[5] In 3 John, the sheriffalties of Cornwall and Berkshire were added to his employments; and he obtained a license to fortify his castle of Dunestore[6], in Somersetshire.

On the defeat of Arthur, Earl of Brittany, which took place in August, 1202, that prince was sent to Falaise, under the charge, according to some relations[7], of Hubert de Burgh, whose refusal to obey the king's cruel behest against

[1] Rot. Chart. 1 John, 30. 36.
[2] Ibid. 52.
[3] Rot. Chart. 100.
[4] Rot. Liberat. 10.
[5] Rapin, ii. 423.
[6] Rot. Pat. 6. 11.
[7] Holinshed, ii. 285.; Biog. Univ.

his royal prisoner is the subject of one of the most beautiful of Shakespeare's scenes. This disobedience, and the concealment with which it was covered, seem to have been forgiven, when the murmurs of the barons on Arthur's supposed death were removed by Hubert's announcement that the prince was still alive. On King John's being summoned, after the completion of the real tragedy, to answer the charge before Philip of France and his peers, Hubert was sent with Eustace, Bishop of Ely, to that court, to demand a safe-conduct for his going and returning; the former of which was readily promised, but the latter, they were answered, would depend on the judgment to be pronounced. John not venturing to expose himself to such a risk, was condemned for his non-appearance to the forfeiture of his French dominions.[1]

'From this time, little is related of Hubert until 15 John, 1214, when he is mentioned as seneschall, and also as mayor, of Niort; and shortly afterwards as seneschall of Poictou.[2] In this character, after the battle at Bovines, he arranged a truce between the kings of England and France for five years.[3]

Having, on the death of his first wife, married Beatrice, the daughter of William de Warenne, and widow of Dodo Bardolf, in 11 John, 1209, her death occurred before December 18, 1214, 16 John; for on that day the sheriff of Lincoln was commanded to give Hubert's steward seisin of the land of Finigham, which was Beatrice's dower.[4]

As seneschall of Poictou, he was in attendance at Runnymede on July 15, 1215, 17 John, when Magna Charta was granted[5] but a few days afterwards he was raised to the

[1] Rapin, ii. 429.
[2] Rot. Claus. i 142. 166—194.
[3] Roger de Wendover, iii. 293.
[4] Rot. Scacc. Normanniæ, Observations, II. ccxvii.; Rot. Claus. i. 181.
[5] Roger de Wendover, iii. 302.

high office of chief justiciary of England; and is so called for the first time in a mandate dated June 25, 1215.[1] To this office were added grants of the custody of the honour of Peverel, of the chamber of London, and of the mint; of the sheriffalties of Hereford, Norfolk and Suffolk, Surrey and Kent; and the custody, among others, of Dover Castle.[2]

He was in charge of this important fortress in May, 1216, when, at the instigation of the barons, England was invaded by Prince Louis of France, who, in the next month, began to besiege it. Hubert, by his skill and courage, successfully resisted the enemy's attacks until the death of King John; when Louis, finding his warlike efforts unavailing, endeavoured to tempt him to deliver up the castle by promises of large rewards. The loyal governor's honour, however, being as impenetrable as his walls, the foiled prince raised the siege, and hastened from the scene.[3]

One of the first uses which Hubert made of his release was to resist the French armament, sent, under the command of Eustace le Moyne, to aid Prince Louis. This consisted of eighty large ships, besides galleys and smaller vessels; against which Hubert could only collect forty sail; but with this small force he conducted the attack so adroitly, that the enemy were entirely defeated, and most of their ships taken. The consequence of the victory was the retirement of the French prince, and the comparative restoration of peace to the kingdom, under the prudent management of William Mareschall, Earl of Pembroke, the young king's governor.[4]

Dugdale introduces the earl as chief justiciary at the commencement of Henry's reign; but there is no evidence that this was so. His office of protector of the realm, or regent, was totally distinct from that of chief justiciary; and

[1] Rot. Pat. 144.; Rot. Claus. i. 217. [2] Rot. Pat. 144, 145, 146. 150.
[3] Roger de Wendover, iii. 368. 380., iv. 4.
[4] Lingard's England, iii. 79.

Hubert's continuance in the latter office on the accession of the new king is proved by various mandates addressed to him under that character. The first of these is dated on November 20, 1216[1], less than a month after King John's death; he is so called in the attestation of the *forma pacis* with Louis of France, in the following September[2]; and in an uninterrupted series of documents, for many years after that date, the same designation is given to him. A salary of 300*l.* per annum was assigned for his support in the office. Fines are recorded as having been acknowledged before him from 4 to 12 Henry III., and the rolls prove that he frequently acted judicially in the country.

On the death of the earl marshal, which occurred in March, 1219, the regency was conferred on Hubert, while the king's person was placed under the care of his rival, Peter de Rupibus, Bishop of Winchester. His government was marked by wisdom and firmness, not unaccompanied, however, with some degree of severity. He repressed a dangerous insurrection in London in 1222, and caused Constantine, the ring-leader, to be executed; he compelled the barons to surrender their castles into the king's hands; and in 1224 he punished Faukes de Breaute, a ferocious magnate raised by the late king, for imprisoning Henry de Braybroc, one of the judges, by destroying his castle of Bedford, hanging those who had defended it, and banishing the principal offender. Hubert's success induced Peter de Rupibus to quit the field for a time; and he accordingly made a pilgrimage to the Holy Land.

In 5 Henry III., 1222, Hubert's interest at court had been still further strengthened by his marriage with Margaret, the eldest sister of Alexander, King of Scotland, thus becoming allied to his sovereign, whose sister, the princess

[1] Rot. Claus. i. 294.

[2] Rymer, N. E., i. 148.

Joanna, had been recently united to the Scottish king. Dugdale makes this lady his fourth wife; stating that his third was Isabella, Countess of Gloucester: but the entry on the close roll to which he refers as proving that he was married to the latter in 1 Henry III., does not seem to support such an interpretation. It is dated August 13, 1217, and is a mandate to Faukes de Breaute to give Hubert de Burgh seisin of the manor of Walden, as the free dower of the Countess.[1] It is immediately preceded by another mandate of the same date, addressed to the sheriffs of the several other counties in which her property was situated, directing them to give seisin to Hubert de Burgh, "Justiciary of England," of all the countess's lands, which the king had committed to his charge, "*custodiend.*" Her late husband, Geoffrey de Mandeville, had been in arms against the king, and had been only recently killed at a tournament in London, by one of Prince Louis's knights. She had no doubt adopted the same party, and this seizure of her lands and committal of them to the temporary custody of an adherent to the crown, was only a similar measure to that taken against all the rebellious barons. She, like the rest, obtained their restitution "as she had them before the war between King John and the barons," in the following September, when she came "ad fidem et servicium nostrum."[2] It is apparent, therefore, that at the date of these entries she had not yet become the wife of Hubert. Her union with him may have occurred shortly afterwards, but could only have been of short duration. The date of her death is not mentioned.

When the king attained his majority, he continued Hubert as his minister, and raised him, on February 11, 1227, 11 Henry III., to the earldom of Kent: a title which his ancestor, William, Earl of Moreton, had forfeited his free-

[1] Rot. Claus. i. 319. [2] Ibid. 322.

dom and his life in his endeavours to recover. On April 27, in the following year, his office of chief justiciary was confirmed to him for life; and the numerous grants with which he was enriched, and responsible offices entrusted to him about the same time, are proofs at once of the influence he possessed over the king's mind, and the manner in which he exercised it to his own aggrandisement.

His uncontrolled authority could not fail to excite some jealousy among the barons, nor could his enemies be slow to find instances of rapacity in the rewards which he accumulated. But the success of his ministry and the favour of his sovereign silenced all loud complaints. The feeling of the times may, however, be judged from the derisive title of "Hubert's Folly," which was given to a castle, commenced but not completed by him, at Cridia, to overawe the Welsh.[1] His career was nearly arrested in September, 1229, by the irritable temper of the king, who, having collected a vast army at Portsmouth with the object of making an attempt to recover his French dominions, found such scanty naval preparations to transport his armanent, that in his passionate disappointment he called Hubert an old traitor, charged him with receiving a bribe from France, and would have instantly dispatched him with his own hand had he not been restrained by the Earl of Chester. The royal indignation did not long continue, and Hubert was restored for a time to his former power.[2] Even in 16 Henry III., 1231, he obtained the privilege of appointing a substitute as Justiciary of England, in case of illness or absence; and the grant of the office of chief justiciary of Ireland for life.

But the seed of suspicion had been sown, and there were many to encourage its growth. He was charged with conniving at certain depredations which had been made against

[1] Roger de Wendover, iv. 173. [2] Ibid. 204.

the Italian clergy, under Robert de Tuinge; and the frequent disturbances on the Welsh frontier were attributed to his incapacity. The restoration of his ancient rival, Peter de Rupibus, Bishop of Winchester, to favour seemed to foretell the coming storm, and that prelate was not backward in insinuations which he knew would hasten it. He represented that the poverty of the treasury was occasioned by the rapacity of some, and the mal-administration of others, of its officers, and used his interest to procure the dismissal of several functionaries who owed their places to the justiciary's protection.

Hubert's fall was not long delayed. He was removed from his office on July 29, 1232, 16 Henry III., and Stephen de Segrave was nominated in his stead. He was called upon to account not only for the disposition of all the treasure he had received, but for the exercise of all the privileges entrusted to him, both in the reign of John and of the present king; and various criminal charges were brought against him by those who rejoiced in his disgrace.

The fickle monarch having, with some difficulty, been prevailed on to give him till September 14 to prepare his answer, he retired to the priory of Merton, with the mortifying reflection that he was deserted by all those who had flattered him in his prosperity. One friend only, Henry, Archbishop of Dublin, had the courage to interfere in his behalf; but his efforts were fruitless.[1] Indeed, so inveterate was the king against his former favourite, that he is said to have caused proclamation to be made, calling upon all who had accusations against him to bring them forward. His relentless disposition being thus exhibited, Hubert did not dare to appear at the time appointed, but took sanctuary in the church. A precept was accordingly issued to the mayor of

[1] Roger de Wendover, iv. 247.

London with directions to bring him thence, dead or alive; and the Bishop of Winchester, to whom some of the citizens applied for advice, must have been somewhat puzzled how to qualify it so as to avoid the appearance of encouraging the sacrilege on the one hand, or the loss of his revenge on the other. His answer was, that they must obey the king's orders. But, when twenty thousand armed men were proceeding to execute them, these orders were suddenly changed, by the prudent suggestion of the Earl of Chester, that it might be less easy to quiet than excite so violent a multitude.

A further respite was then, at the entreaty of the friendly Archbishop of Dublin, granted to Hubert till the octave of the following Epiphany, with a licence to visit his wife at St. Edmund's Bury. Resting on his journey thither at a house in Essex, belonging to the Bishop of Norwich, the king, fearful of the consequences of his being at large, despatched Godfrey de Craucombe and three hundred soldiers with positive injunctions to arrest him. Hearing of their approach, Hubert rose from his bed, and, naked as he was, fled to the altar of the church, where he was found by his pursuers with a crucifix in one hand and the host in the other. They dragged him from his refuge, and binding him to a horse conveyed him to the Tower of London. Hubert, however, while suffering this harsh treatment, had the consolation of hearing a smith, who was called upon to prepare fetters for his legs, refuse to provide them for one who had done so much service for his country, and had been so loyal and constant.

His imprisonment in the Tower did not last long, for the king, under the Bishop of London's threat of excommunication for violating the sanctity of the church, was compelled to replace his captive in the asylum he had chosen. The church was then encircled and besieged, so that being de-

prived of food and the means of escape, Hubert was at last obliged to surrender himself and return to his prison in the Tower. The Archbishop of Dublin's exertions could only obtain authority to offer him the choice of abjuring the realm, or perpetual imprisonment, of confessing himself a traitor and putting himself at the king's mercy. He at once rejected all these conditions, but replied that though he had done nothing deserving his present treatment, he would, for the satisfaction of the king, retire from the kingdom, although he would not abjure it.[1]

When called upon to give authority to the king's treasurer to take possession of certain monies of his which were under the charge of the Knights Templars, who refused to deliver them without his order, he at once consented, saying that he freely submitted himself and all he had to the king's pleasure. The deposit was of immense value. The king being somewhat pacified by his submission, and by the remembrance of his former services to his father and himself, consented that he should retain his patrimonial inheritance and the lands he held of mesne lords, forfeiting those that he held in chief from the king; and that he should he kept in safe custody in the castle of Devizes under the charge of four earls. Thither he was accordingly transferred; but in the following year, hearing that his old enemy was about to obtain the custody of his person, he dropped from the wall into the moat, and took refuge in the church of St. John at Devizes. Here he was again violently dragged from the altar; but the bishops interfering, was obliged to be restored to his sanctuary. On this, however, a precept dated 15 October, 1233, 17 Hen. III., was issued "to the good men of Wilts," commanding them, if Hubert de Burgh would not give his abjuration of the realm to Ralph de Bray and Ralph de Norwich, justices whom the

[1] Richard de Wendover, 218—253.

king had sent there, or submit himself to be judged by them, to surround the church and the cemetery thereof as they should be instructed.[1]

He was, a few days afterwards, rescued from his intended starvation by a body of armed men, who, overpowering his guards, led him from the church, and conveyed him on the 30th of that month to the Earl of Pembroke, then in arms against the king in Wales. His outlawry immediately followed his escape on October 25: the year and a day which thereupon pertained to the king in the lands which he held of Earl William de Ferrariis were granted to that Earl.[2]

The disgrace of Peter de Rupibus occurred in April, 1234, and was soon after followed by the restoration of peace between the king and the barons, with the restitution of their forfeited lands. In this reconciliation Hubert participated, but at the same time surrendered his title to the office of chief justiciary.[3]

Even after all these trials, his loyalty to the king was conspicuous. In the confederacy of the barons headed by Richard, the king's brother, in 1238, he alone remained faithful to his allegiance. But with a monarch so weak and fickle, so avaricious and extravagant, it was impossible to remain long in peace. In 22 Henry III. the king took offence at the marriage of Hubert's daughter Margaret with Richard, Earl of Gloucester; and though it was proved that Hubert had no knowledge of the affair, the royal indignation could only be appeased by a considerable fine. In the following year, upon some frivolous pretence, a new quarrel was fixed upon him, and many of the old charges against him having been revived, a day was appointed for the trial. His answers to all the eight articles alleged against him were full and satisfactory; but he felt compelled, in order to avoid an

[1] Rymer's Fœd. N. E., i. 211. [2] Excerpt. e Rot. Fin. i. 249.
[3] Roger de Wendover, iv. 257, 258. 274, 275. 277. 310.

unjust sentence, to make a peace-offering to the king of four of his castles.[1]

The few years that he lived afterwards, he was suffered to pass in quiet, and his eventful life was closed on May 12, 1243, 27 Henry III., at Banstead, in Surrey. He was buried within the church of the Friars Preachers, or Black Friars, in Holborn, to which he had been a large benefactor. His pious donations were too numerous to be recorded here, but among them may be mentioned his grant to that fraternity of his palace at Westminster, which was afterwards purchased by the Archbishop of York, and is now known by the name of Whitehall; and his foundation of the Hospital of Our Lady, and the church of the Maison Dieu, at Dover.

Whatever failings marked the character of Hubert, it cannot be doubted that he was a faithful servant and a wise counsellor to the monarchs whom he served. The distractions of the kingdom after he had ceased to be Henry's minister speak loudly of his power of guiding and controlling the passions of a foolish and capricious prince. No better summary of his worth can be pronounced than that of the Essex blacksmith: — "Do what you please with me: I would rather die than put fetters on him. Is he not the faithful and magnanimous Hubert, who hath so often snatched England from the ravages of foreigners, and restored England to England? Who served his sovereign King John so firmly and faithfully in Gascony, Normandy, and elsewhere, so that he was sometimes compelled to eat horseflesh, his very enemies admiring his constancy? Who preserved Dover, the key of England, against the King of France and all his power? Who secured our safety by subduing our enemies at sea? What shall I say to his great exploits at Lincoln and at Bedford? May God be judge between him and you, for such unjust and in-

[1] State Trials, i. 13.

human treatment; repaying him evil for good, even the vilest for the best!"

The genealogists in general assert that by his first three wives he had no issue, and that his two sons and two daughters were the children of his last wife Margaret, Princess of Scotland. That all were so, however, may be doubted, as in that case, Mr Banks observes, they would have had, as descendants from the daughter of William, King of Scotland, a better claim to that throne than either Bruce or Balliol, who were only descended from the daughters of David, younger brother of William. With regard to John, the eldest son, there are two records which clearly prove that he could not have been Margaret's son. On September 11, 1231, 15 Henry III., the king granted John the custody of the lands and heirs of William de Eyneford; and on November 21, 1234, 19 Henry III., he and *his wife* Hawise are allowed to pay the debt her grandmother Hawise de Laungval, or Lamvalay, owed to the king, by certain annual instalments.[1] As Hubert's marriage with Margaret did not take place till 5 Henry III., 1221, this John, if her son, could not have been more than nine years of age at the first of the dates, nor more than thirteen at the last. His mother, therefore, was probably Beatrice, Hubert's second wife.

John did homage for his father's lands, but never bore the title of Earl of Kent; and if, as has been alleged, this was occasioned by the remainder in the patent conferring that title being limited to the heirs of the Scottish princess, it would be another proof that neither he nor his brother nor one of his sisters were her children. This branch of the family failed in 1279, by the death of John's son John without male issue.

Hubert's second son was named Hubert, from whom de-

[1] Excerpt. e Rot. Fin. i. 217. 269.

scended Sir Thomas de Burgh, who in 1487 was created a peer, as Baron Borough of Gainsborough, a title which in 1598 fell into abeyance among the four sisters of Robert, the sixth baron.[1]

One of his daughters, Margaret, was certainly by the Princess Margaret, as she is so described in a charter dated April 14, 1227, 11 Henry III., by which her father's grant to her of the manors of Portslade in Sussex, and of Sedgebrook in Lincolnshire, is confirmed. Her clandestine marriage with Richard de Clare, Earl of Gloucester, in 1237, already alluded to, was quickly followed by her death, as the earl took another wife in the following year.[2]

CALETO, JOHN DE, or DE CAUX, Abbot of Peterborough.

Just. 1254.

A FINE was acknowledged before John, Abbot of Peterborough, on the morrow of St. Andrew, 39 Henry III., being December 1, 1254. In that and the following year, his name appears at the head of the justices itinerant into several counties[3]; and from April till August, 1258, 42 Henry III., payments were made for assizes to be held before him.[4] After this date he is not noticed in a judicial character, but in October, 44 Henry III., he was constituted treasurer, and continued so till his death on March 1, 1262, 46 Henry III. This abbot was John de Caleto, or de Caux, who was elected to that dignity in 1249, being then prior of St. Swithin's at Winchester. Browne Willis describes him as a pious, wise

[1] Dugdale's Baronage, 693—700.; Nicolas's Synopsis.
[2] Proceedings of Archæol. Inst. at York, 1816; Holy Trinity Priory, 129.
[3] Dugdale's Orig. Jurid. 43., and Chron. Series.
[4] Excerpt. e Rot. Fin. ii. 276—286.

man, and of noble extraction, and states that he built the infirmary and gave the great bell to his church.[1]

CAMVILL, THOMAS DE.

? JUST. 1229.

THOMAS DE CAMVILL was a nephew of Gerard de Camvill, mentioned as a justicier in the last reign, being the third son of his brother William by Albreda, the daughter and heir of Geoffrey Marmion. He held Westerham, in Kent, of the honour of Bologne, in 2 and 3 John, and paid fifteen marks for three knights' fees in that county, and two marks for one knight's fee in Essex.[2] His adherence to the rebellious barons at the close of that king's reign was punished with the loss of all his lands, which, however, were restored on his obedience to the government of Henry III.[3] In 11 Henry III. he had the grant of a market for his manor of Fobbing, in Essex.[4] He is only once named as a justicier, on the authority of a fine being levied before him in May, 1229, 13 Henry III.[5] His death occurred in 19 Hen. III., in which year, January, 1235, Hamo de Crevequer paid six hundred marks for the custody of his land and heirs.[6] In Dugdale's pedigree of the family he is styled "Presbyter;" but this is contradicted by the above record, which reserves the dower of Agnes, his widow, and states that his son and heir had married a daughter of Hamo; and by another record, by which Robert his son has licence to pay to the king his father's debts by four instalments.[7]

[1] Browne Willis's Mitred Abbeys; Abbrev. Placit. 146.
[2] Rot. Cancell. 3 John, 161. 220.
[3] Rot. Claus. i. 243. 325.
[4] Ibid. ii. 194.
[5] Dugdale's Orig. Jurid. 42.
[6] Excerpt. e Rot. Fin. i. 271, 272.
[7] Ibid. ii. 2.; Dugdale's Baronage, i. 626.; Hasted's Kent, iii. 162.

CANTILUPE, SIMON DE. *See* SIMON NORMANNUS.

CANTILUPE, THOMAS DE, ARCHDEACON OF STAFFORD AND OF LICHFIELD, and BISHOP OF HEREFORD.

CHANCELLOR, 1265.

THIS prelate, who was the third chancellor, and the last Englishman, honoured with canonization, was the grandson of the under-mentioned William de Cantilupe, whose heir of the same name was his father; his mother being Milicent, the daughter of Hugh de Gournay, and the widow of Almeric, Earl of Evreux in Normandy, and of Gloucester in England. He was born about the beginning of the reign of King Henry III., at his father's manor of Hameldone in Lincolnshire. Under the advice of his uncle, Walter, Bishop of Worcester, he was brought up with a view to the clerical profession, and studied at Oxford under Robert Kilwarby, who became Archbishop of Canterbury and a cardinal. He afterwards removed to Paris, and applied himself to the study of philosophy, in the College of Sorbonne, whence, having taken the degree of Master of Arts, he proceeded to Orleans to read the civil law with an eminent professor there, and was soon so far advanced as to be able to take his master's chair in his absence. Returning to Oxford, he applied himself to the canon law, and proceeded doctor. The nobility of his blood, as well as the eminence of his learning, pointed him out, in 1262, as worthy to fill the office of chancellor of the University; in performing the duties of which in the suppression of a riot between the southern and northern scholars, he is said to have greatly exerted himself, to the injury both of his person and habiliments.

The barons having assumed the ascendancy, and the king being completely under their dictation, he was selected by

them to fill the office of Chancellor on February 21, 1265, 49 Henry III.[1], with an allowance of five hundred marks.[2] Their power, however, being terminated by the battle of Evesham, and the death of De Montfort in the following August, his removal was the natural consequence; and the great seal was given to Walter Giffard, Bishop of Bath and Wells. The author of his "Life and Gests" says that he continued chancellor till King Henry's death, but the records manifestly prove that the office was held not only by Walter Giffard, but by two or three others after him.

Having retired to Oxford, he completed a course of divinity by taking the degree of doctor, his ancient friend and master, Robert Kilwarby, then Archbishop of Canterbury, honouring his act with his presence.

His connection with the insurgent barons did not blind King Henry to his merits, and accordingly, in 1266, he was appointed Archdeacon of Stafford, to which were added, as his eulogist acknowledges, "many and fatt benefices;" as he held at the same time canonries in York, Lichfield, London, and Hereford. Neither was he in less favour with Edw. I.; being elected Bishop of Hereford on June 20, 1275: and he had the further satisfaction of receiving the rite of consecration on the eighth of the following September from his old master, the archbishop.

The remainder of his life was devoted to the sacred duties of his office, on the performance of which his biographer is very eloquent; not forgetting "his courage in defence of ecclesiasticall libertyes," which engaged him in many controversies, and eventually led to his death. Archbishop Peckham having laid some injunctions on the sees within his jurisdiction which were prejudicial to their liberties, and considered to be beyond the verge of his power, our bishop

[1] Rot. Pat. 49 Henry III., m. 22. [2] Ibid. m. 18.

volunteered a journey to Rome to obtain redress. There he was received with great distinction, and having prosecuted his suit to a successful issue, he commenced his journey homeward; but being seized with sickness, he could not proceed further than Monte Fiascone, where he died on August 25, 1282, in the sixty-third year of his age. His flesh was buried at the place of his death, and his bones were removed to England and interred in his cathedral. The miracles which were performed on both these events, and on other occasions during his life, and at his shrine, stated to extend to the number of 425, it is unnecessary to particularize, as they probably were not connected with his legal character. The fame of them, however, was so great, that he was canonized about thirty-two years afterwards by Pope John XXII., on April 17, 1320.

That he was a man of extensive learning, humble disposition and unblameable life, may well be conceived from the respect paid to his memory; but the assertion of Archbishop Kilwarby, on his being created doctor, that he was never guilty of any sin which he could judge to be mortal, may be ascribed to the prepossession of friendship, and the pride he felt in having such a pupil.

The Bishops of Hereford in his honour assumed his family coat as the arms of their see, viz., Gules, three leopard's heads inverted, each with a flower de luce in his mouth, Or.[1]

CANTILUPE, WALTER DE, afterwards Bishop of Worcester.

Just. Itin. 1231.

Walter de Cantilupe was the second son of the undermentioned William de Cantilupe, and the uncle of St. Thomas,

[1] The Life and Gests of S. Thomas Cantilupe, Bishop of Hereford, and some time before L. Chancellor of England. Collected by R. S. S. J. Gant, 1674;

Bishop of Hereford. He was educated for the church, and in 10 John was presented to the living of Eyton.[1] This was followed in the course of the next eight years by no less than seven benefices, besides a prebend in the church of Lichfield; — Wurefield, Burton, Long Huchendon, Rammcham, Preston, Herdewic, and half of Stokes.[2]

In 16 Henry III., 1231, he was one of the seven justices itinerant named for the counties of Nottingham and Derby, Cambridge and Huntingdon, and Essex and Hertford[3]; being the only occasion on which he appears to have acted in that capacity. In August, 1236, he was elected to the bishoprick of Worcester, but was not consecrated till the following May. In his episcopal character, he boldly resisted the papal exactions, influenced probably by the remembrance of his own pluralities; at the same time, however, exhibiting so much zeal "that, to advance the heroic designs of Christian princes in the Holy Land, he went himself thither, accompanied by William Longspee, Earl of Salisbury."

Towards the close of his life he sided with Simon de Montfort, Earl of Leicester, for which he was excommunicated by the pope's legate; but he lived long enough to repent of his disloyalty, and to obtain absolution. His death occurred at his manor of Blockley, on February 12, 1265. His character, according to the historian of his nephew, St. Thomas de Cantilupe, was that of "a person of mind and courage equal to his birth." He founded the nunnery of White Ladies, dedicating its church, in 1255, to St. Mary Magdalen, and was otherwise munificent to his see.[4]

Godwin de Præsul. 486.; Le Neve, 109. 133. 440.; Barnes's Eng. 420.; Dugdale's Baron. i. 432.

[1] Rot. Pat. 87.

[2] Ibid. 106. 132. 151. 169. 183. 188. 196.; Rot. Chart. 192.

[3] Dugdale's Chron. Ser.

[4] Life and Gests of S. Thomas Cantilupe; Godwin de Præsul. 460.

CANTILUPE, WILLIAM DE.

JUST. ITIN. 1218.

See under the Reign of John.

WILLIAM DE CANTILUPE was the father of Walter, Bishop of Worcester, and grandfather of Thomas, Bishop of Hereford, of whom notices appear above. The noble family of Cantilupe, so called from the original Champ de Loup, or Campus Lupi, according to the author of the Life and Gests of St. Thomas Cantilupe, Bishop of Hereford, followed the Norman conqueror in his enterprise on the English monarchy. The father of this William was Walter de Cantilupe, who was living in 7 John, 1205, when the king gave him a dolium of wine.[1] William had already acquired the royal confidence, and so early as 2 John held the office of steward of the household.[2] In the following year he was Sheriff of Worcestershire and of the united counties of Warwick and Leicester; to which was afterwards added that of Hereford; and over one or the other of these counties he presided for many years. From 5 to 10 John his name appears as one of the justiciers before whom fines were acknowledged.[3] During the remainder of that reign he was in frequent personal attendance on his sovereign, accompanying him to Ireland, and firmly supporting him both under the interdict and in his wars with the barons. It would be endless to recite the grants which were made to him by King John, even up to the last month of his reign[4]; and the records do not contain a single entry upon which to found the allegation made by Dugdale, on the authority of Matthew Paris, that he for a short time deserted the king;

[1] Rot. Claus. i. 49.
[2] Rot. Liberat. 1.
[3] Mr. Hunter's List in the Preface to Fines of Richard I. and John.
[4] Rot. Claus. 18 John, i. 290.

but on the contrary, the whole tenour of them proves the improbability of the charge.

On the accession of Henry III. his loyalty was still conspicuous; both he and his son assisting in the siege of Montsorel, in Leicestershire, and in raising that of Lincoln. In 2 Hen. III. he was again made Sheriff of Warwickshire and Leicestershire, with the custody of the castle of Kenilworth, where he fixed his chief residence; and in the next year he was appointed one of the justices itinerant into Bedfordshire and the neighbouring counties.[1] He still enjoyed the office of seneschall, which his son also held after his death; and during the remainder of his life received repeated marks of the royal favour; the only interruption to which arose from his joining the barons who were dissatisfied with the ministry of Hubert de Burgh. Among the grants he received was that of the lordship of Eston, in Warwickshire, from him commonly called Aston-Cantelow, where he had his principal seat. He built a hospital at Studley, in that county, at the gates of a priory there, the advowson of which belonged to him.

His death occurred in April, 1238, when he was succeeded by William, his eldest son; besides whom he had three other sons, viz., the above-mentioned Walter, Bishop of Worcester, John, and Nicholas. The chancellor, Thomas, Bishop of Hereford, was the second son of William. The family continued for two more generations, and then terminated in daughters.[2]

CARLISLE, BISHOPS OF. *See* SYLVESTER EVERDON, WILLIAM MAUCLERK.

[1] Dugdale's Chron. Ser.

[2] Dugdale's Baron. i. 731.; Fuller's Worthies; Nicolas's Synopsis.

CAVE, JOHN DE.

Just. 1254.

Fines were acknowledged before John de Cave from December, 1254, 39 Henry III., till Michaelmas, 44 Henry III., 1260[1]; but from the entries on the Rotulus de Finibus, it is evident he acted as a justicier till July 23, 1261.[2] He seems to have gone one circuit only, viz. into Gloucestershire and Staffordshire, in the first year he sat on the bench.[3] If H. Phillipps is right in stating that the baronets of that name of Stanford, in Northamptonshire, a title still existing, are descended from him[4], his ancestor was Jordan de Cave, the brother of Wyamarus de Cave, who received lands in North and South Cave, in Yorkshire, from William the Conqueror, and transferred them to Jordan. The lineage in Burke, however, contains no John de Cave either in the reign of Henry III. or in that of Edward I., when the name again occurs as a justicier.[5]

CAUX, JOHN DE. *See* John de Caleto.

CAXTON, JEREMIAH DE.

Just. 1244.

Jeremiah de Caxton is mentioned as having been sent with several others in 1239 to settle the disputes between the convent and city of Norwich[6]; and again in another case in the following year, in which there is a further entry showing he kept a roll at the Exchequer.[7] Although not inserted in Dugdale's Chronica Series, it appears that he was a justicier, from payments being made for assizes to be taken before him

[1] Dugdale's Orig. Jurid. 43.
[2] Dugdale's Chron. Series.
[3] Burke's Peerage.
[4] Grandeur of the Law, 1684, 53.
[5] Excerpt. e Rot. Fin. ii. 330—336.
[6] Blomefield's Norwich, i. 46
[7] Abbrev. Placit. 107. 115.

in 28 and 31 Henry III. In the first of these years, 1244, he is named alone; and in the last, 1247, the writ is addressed to two, his name preceding that of Martin de Littlebiri, an undoubted justicier.[1] In the following year he is mentioned as one of the custodes of the archbishoprick of Canterbury during its vacancy[2]; after which his name occurs in 37 Henry III., 1253, as holding pleas before the king with Henry de Bretton; but evidently referring to a previous year.[3]

CESTRETON, ADAM DE.

JUST. 1268.

KING HENRY III. before the seventeenth year of his reign founded a house for the maintenance of converted Jews, in the street then called "New Street," but now known as Chancery Lane, endowing it with many houses and lands, and bestowing on it the church of St. Dunstan, in Fleet Street. Over this "Domus Conversorum" a custos was appointed, sometimes during the king's pleasure, and sometimes for life, who was generally an ecclesiastic, and connected with the legal profession. In the reign of Edward I., this office was first united with that of Master of the Rolls; and when, by the banishment of the Jews from England, the object of its foundation gradually ceased, the house was eventually annexed to the office of Master of the Rolls, and thenceforward received the name by which it is now distinguished.

Adam de Cestreton, who was evidently a lawyer, received in 50 Henry III., November 28, 1265, a grant of the custody of this house of converts for his life, together with the entire robes from the king's wardrobe, as other keepers had

[1] Excerpt. e Rot. Fin. i. 424., ii. 9.
[2] Madox's Exch. i. 595.
[3] Abbrev. Placit. 131.

been used to have.[1] During the whole of 52 Henry III. he was performing the functions of a justicier, no less than twenty writs being paid for assizes in nine different counties, some before him alone, and some before him in conjunction with Richard de Hemington, another justicier.[2] The short time that he remained on the bench may account for his non-appearance in Dugdale's Chronica Series; inasmuch as his death occurred at the beginning of the following year, when Thomas de la Leye was appointed custos of the house of converts in his place.[3]

CHACEPORC, PETER Archdeacon of Wells, and Treasurer of Lincoln.

? Keeper, 1253.

Peter Chaceporc was keeper of the king's wardrobe from 29 to 37 Henry III., during great part of which time there are several entries on the various rolls in which he is so described.[4] The wardrobe appears to have been used as one of the royal treasuries, and a certain class of fines was commonly paid into it. There is a charter of the latter date to which his name is added as a witness, with the title of treasurer; and Madox so mentions him in the preceding year.[5] On May 15, 1253, 37 Henry III., William de Kilkenny being ill, the great seal was delivered to Peter Chaceporc and John de Lexinton[6]; and there is little doubt that the former merely received it in one or other of the above characters, probably in the former, to be deposited in

[1] Rot. Pat. 50 Henry III., m. 41. [2] Excerpt. e Rot. Fin. ii. 465—478.
[3] Rot. Pat. 53 Henry III., m. 21.
[4] Madox's Exch. i. 609. 709., ii. 116.; Excerpt. e Rot. Fin. ii. 125. 144., &c.
[5] Rymer's Fœd. i. 288.; Madox's Exch. ii. 318.
[6] Dugdale's Chron. Series.

the wardrobe for safe custody. Kilkenny resumed his functions in July. In that same year Peter Chaceporc received the archdeaconry of Wells, and in the following, the treasurership of Lincoln[1]: after which no mention is made of his name, except that he is one of the executors named in King Henry's will.[2] He is sometimes called Chaceport.

CHESTER, ARCHDEACON OF. *See* SYLVESTER DE EVERDON.

CHESTER, CONSTABLE OF. *See* JOHN DE LACY.

CHESTER, PETER DE, PROVOST OF BEVERLEY.

? JUST. ITIN. 1270.

See under the Reign of Edward I.

CHICHESTER, BISHOPS OF. *See* RICHARD POORE, RALPH DE NEVILLE.

CHISHULL, JOHN DE, ARCHDEACON, DEAN, and afterwards BISHOP OF LONDON.

KEEPER, 1268.

BY a record dated in February, 1265, 49 Henry III., it is stated that the king received the seal from Master John de Chishull, Archdeacon of London, and committed it on the same day to Master Thomas de Cantilupe.[3] It does not, however, follow that he had been previously the keeper of the seal, in any other manner than as an officer of the treasury of the Exchequer, where it was deposited for safe custody. In the previous year, he is mentioned as chancellor of the Exchequer, who was a sort of lieutenant, or deputy, of the king's treasurer.[4]

Le Neve makes him Archdeacon of London in 1262, and

[1] Le Neve, 43. 151.
[2] Rymer's Fœd. i. 496.
[3] Rot. Pat. 49 Henry III. m. 22.
[4] Madox's Exch. i. 75. 291., ii. 55. 319.; Abbrev. Placit. 155.

Dean in 1268. In the latter year the great seal was committed to his custody, to be held at the king's pleasure, on the resignation of Godfrey Giffard, Bishop of Worcester, on October 30; but whether with the title of chancellor does not appear. He retained it till the end of the following July, when Richard de Middleton succeeded him.

On the 6th of February, 1270, he was constituted treasurer[1], in which office he continued about two years.

He was elected to the bishoprick of London on December 7, 1273, and consecrated on April 29, 1274; but in a few years was obliged, on account of his age and infirmities, to be assisted in the rule of his diocese, in the first instance by the dean and treasurer of St. Paul's, but afterwards, in 1279, by the Archdeacon of Colchester. He died on February 8, 1280, and was buried in St. Paul's.[2]

CLAHAUL, HUGH DE.

Just. Itin. 1225.

The only instance of Hugh de Clahaul's holding a judicial position was in 9 Henry III., when he was one of the justices itinerant appointed for Essex and Hertfordshire, in the latter of which counties his property was situate.[3] He was among those who, having taken the barons' part in the former reign, returned to his duty at the beginning of this.[4] His wife, Alina, had a rent of forty shillings out of the land of William de Mandeville, Earl of Essex, for her dower.[5] In 42 Henry III., 1257–8, a Hugh de Clahule, who is called the valet of E. de Westminster, a clerk of the Exchequer, has an action against certain parties for taking fish from his

[1] Rot. Pat. 54 Henry III., m. 23.
[2] Godwin de Præsul. 183.; Le Neve, 177. 183. 186.
[3] Rot. Claus. ii. 67. 147.
[4] Ibid. i. 323, 324.
[5] Ibid. ii. 183.

free fishery in the town of Standon, in Hertfordshire[1]; possibly assuming the character of a servant for the sake of availing himself of the privilege which belonged to the officers of the Exchequer and their dependants, of suing in that court.

CLIFFORD, ROGER DE.

? JUST. ITIN. 1268.

See under the Reign of Edward I.

CLIFFORD, WILLIAM DE.

B. E. 1270.

"MAGISTER" WILLIAM DE CLIFFORD[2] was the king's escheator on this side Trent from October, 1265, 49 Hen. III., till May, 1268, 52 Henry III.; soon after which the name of Master Richard de Clifford appears in the same office, continuing to hold it till the end of the reign.[3] Dugdale introduces William as a baron of the Exchequer in 55 Henry III., 1270, about which period he was appointed chancellor of the Exchequer, and had a liberate granting him a salary of 40*l.* a year.[4]

COBBEHAM, HENRY DE.

JUST. ITIN. 1218.

HENRY DE COBBEHAM is the first named member of a noble family, holding large possessions in Kent, of which the lordship of that name, near Rochester, was the principal. Hasted mentions him as being one of "Recognitores magnæ

[1] Madox's Exch. ii. 18.

[2] The name is frequently abbreviated in the Rolls to Cliff, which accounts for Dugdale inserting him under that name.

[3] Excerpt. e Rot. Fin. ii. 429—470., and 523—587.

[4] Dugdale's Chron. Series; Madox's Exch. ii. 320.

assisæ" in 1 John[1], and in 4 John for not obeying some precept of the king he was obliged to pay one hundred marks to recover the royal favour.[2] Among the charters of 10 John is a very long one, confirming to him the numerous properties which he at various times had received[3]; a sort of general title deed. In 3 Henry III. he was appointed one of the justices itinerant into Sussex, Surrey, Middlesex, and Kent[4], probably from being a large proprietor in the latter county, and in the tenth year of that reign he was in the commission to collect the quinzime there.[5] At his death, the date of which does not appear, he left three sons, John, Reginald, and William, each of whom occupied the judicial bench, and will be afterwards noticed. Henry, the grandson of the first, was summoned to parliament by Edward II. The barony in two generations passed through a female to the Brookes, who held it till the death of Henry, the eighth baron, without issue in 1619. The title in 1645 was granted to the son of a younger brother of the seventh lord, then the heir male, but again became extinct in 1651 by his death without issue. It was again revived in 1714 in the person of Sir Richard Temple, descended through the female branch from the eighth baron. In 1718 he was further created Baron and Viscount Cobham, with remainder to his sister, Hester, the wife of Richard Grenville. On his death in 1749, she succeeded to the title, to which the dignity of Countess Temple was added in the same year. Her grandson George was raised in 1784 to the marquisate of Buckingham, which in 1822 was converted into a dukedom, granted to his son Richard, the father of the present peer.[6]

[1] Hasted's Kent, 8vo. iii. 407.
[2] Madox's Exch. i. 473.
[3] Rot. Chart. 178.
[4] Dugdale's Chron. Ser.
[5] Rot. Claus. ii. 147.
[6] Dugdale's Baron. ii. 65.; Nicolas's Synopsis.

COBBEHAM, JOHN DE.

JUST. 1244.

JOHN DE COBBEHAM was the eldest son of the last-named Henry, and succeeded to his father's manor on his death. He held the office of Sheriff of Kent, with Bertram de Criol, from 26 to 32 Henry III.[1] Brought up, no doubt, to the study of the law, he was raised to the bench about 28 Hen. III., fines being levied before him from Easter in that year, 1244, till Michaelmas, 35 Henry III., 1250[2]; — during which time also writs of assize were frequently directed to him[3]; and his name likewise appears as a justice itinerant in two of the intervening years, 1246 and 1249. He married twice. His first wife was a daughter of Warine Fitz-Benedict; by whom he had two sons: John, a justicier at the end of this reign, and for many years under Edward I.; and Henry of Roundal, in Shorne, Kent. His second wife, Joane, daughter of Hugh de Nevill, produced to him Reginald, from whom the Cobhams of Sterborough Castle, in Surrey, sprung.[4]

COBBEHAM, JOHN DE.

JUST. ITIN. 1268. JUST. 1270.

See under the Reign of Edward I.

COBBEHAM, REGINALD DE.

JUST. ITIN. 1248.

REGINALD DE COBBEHAM was the second son of the above-mentioned Henry. In 32 Henry III., 1248, he was one of the justices itinerant into Essex and Surrey; and in the

[1] Hasted's Kent, i. 181.
[2] Dugdale's Orig. Jurid. 43., and Chron. Series.
[3] Excerpt. e Rot. Fin. i. 437., ii 81—103.
[4] Hasted's Kent, iii. 231. 407.

next year into Kent, Middlesex, Hampshire, and Wiltshire[1]; and, but that he never afterwards is named in a judicial capacity, his position and association on those Iters with others who were clearly regular justiciers would lead to a suspicion that he was also on the bench. If so, however, he must have then retired. In 33 Henry III. he was appointed Sheriff of Kent, and continued to hold that office during the remainder of his life; the record which announces his death nominating Walter de Berstede for the rest of the year, at the same rate at which he had annually fermed it. The date of this record is December 22, 1257, 42 Henry III., and it states that Reginald died on the morrow of St. Lucy the Virgin, viz. December 14.[2] Some time after, Maria, his widow, had permission to pay the debts he owed to the crown by instalments.[3] While he held the sheriffalty he was appointed Governor of Dover Castle and Warden of the Cinque Ports.[4]

COBBEHAM, WILLIAM DE.

Just. Itin. 1255.

This was the third son of Henry de Cobbeham, and was generally called William de Cobbeham, of Aldington, a manor in Thurnham, Kent, to which he succeeded on the death of his nephew John. He inherited the manor of East Shelve, or Shelve Cobham, in Lenham, in that county.[5] Entrusted, as well as his two brothers, John and Reginald, with judicial duties, he was in three successive years, 39, 40, and 41 Henry III., 1255–7, employed as a justice itinerant into a variety of counties.[6] Hasted dates his death in 14 Edward II., 1320; but this seems scarcely possible.

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 268.
[3] Ibid. 324.
[4] Dugdale's Baronage, ii. 65.
[5] Hasted's Kent, iii. 407., v. 435. 525.; Dugdale's Baronage, ii. 65.
[6] Dugdale's Chron. Series.

COKEFIELD, JOHN DE.

JUST. 1256.

COKEFIELD is a place in Suffolk, where a powerful family called from its name was seated; the possessor of which, Adam de Cokefield, died in 1198, leaving a daughter, Nesta, who married three husbands but left no issue.[1] Whether John de Cokefield was connected with this family does not appear. His name is first noticed by Dugdale as recorded on a fine levied at Michaelmas, 1256, 40 Henry III., and on others till the following Michaelmas, in which latter year he was added to the justices itinerant into the county of Suffolk.[2] After that time payments were made for assizes to be taken before him, commencing in August, 1258, 42 Henry III., and ending in June, 1259. A long interval of eleven years then occurs; no payments being made for assizes before him till May, 1270, 54 Henry III., after which they are frequent till May, 1272. During this latter period he had a grant of 40*l.* a year for his support, according to Dugdale, as a justice of the King's Bench. His death is recorded on the close roll of 56 Henry III.[3]

COKEFIELD, ROBERT DE.

JUST. ITIN. 1225.

THE position which Robert de Cokefield, or Kokefield, held in Yorkshire, was the cause of his being selected in 9 Henry III. as one of the justices itinerant for that county.[4] He was constable of the castles of Scarborough and Pickering, for the custody of which he had a salary of two hundred marks per annum.[5] In May, 1226, 10 Henry III.,

[1] Cronica de Josc. de Brakelonda, 141.
[2] Excerpt. e Rot. Fin. ii. 286—573.; Dugdale's Chron. Series.
[3] Dugdale's Chron. Series.
[4] Rot. Claus. ii. 77.
[5] Ibid. 107. 117.

the sheriffalty of the county was entrusted to him, which he retained till 13 Henry III., and two years afterwards he was excused 150*l.* which remained due from him for the profits of the county. Besides this mark of favour, he had the wardship of the heirs of Ralph Pikot and Robert le Vavasour.[1] He married Nichole, the daughter of Jordan de Sancta-Maria, by Alice, the daughter, or, according to another account, one of the sisters, of Geoffrey Haget, noticed as a justicier in the reign of Richard I.[2]

COLCHESTER, Abbot of. *See* W. de Spaldewick.

COLEVILLE, HENRY DE.

Just. Itin. 1252.

Whether Henry de Coleville was in any way connected with the noble family of that name which flourished about this time, does not appear. He was employed in 18 Henry III. to assess the tallage in Cambridge and Huntingdon[3], and was twice appointed sheriff for those counties: once in 21 Hen. III., when he held the office for six years; and the next time in 34 Henry III., when he held it for two, with permission to account for the issues as custos, and not as fermer.[4] In 35 Henry III., 1252, he acted as justice itinerant for Berkshire, Oxford, and Northampton; and in the following year for Cambridge, Huntingdon, Essex, and Hertford[5]; after which there are no traces of his history.

COLUMBARIIS, MATTHEW DE.

? Just. Itin. 1268.

See under the Reign of Edward I.

[1] Excerpt. e Rot. Fin. i. 8—215.; Fuller's Worthies.
[2] Archæologia, xxxi. 485.; Dugdale's Monast. vi. 437.
[3] Madox's Exch. i. 735. [4] Ibid. ii. 169.; Fuller's Worthies.
[5] Dugdale's Chron. Series; Abbrev. Placit. 141.

COVENTRY, ARCHDEACONS OF. *See* W. DE KILKENNY, J. DE KIRKEBY.

CRASSUS, RICHARD, ABBOT OF EVESHAM.

? KEEPER, 1239.

RICHARD CRASSUS had been prior of Henley, in Buckinghamshire, before he became Abbot of Evesham. On the expulsion of Simon the Norman in 24 Henry III., 1239, the great seal is said to have been placed in his custody, and to have continued in his possession till his election as Bishop of Lichfield and Coventry [1] in 1242, when he resigned it. This election took place about November; but before he had received the rite of consecration, he died at Riola, in Gascony, on December 8, 1242.[2]

CRESSI, WILLIAM DE.

JUST. ITIN. 1219.

THE relationship of William de Cressi with the noble family of that name, noticed under Hugh de Cressi in the reign of Henry II., is not known. He seems to have joined the barons in the last years of John's reign; a safe conduct having been given to him in December, 1215, to go and speak to the king as to making his peace.[3] In this he was no doubt successful, being employed in the next year with others to take a recognition as to the last presentation of the church of Mareseye, in Nottinghamshire.[4] In that and the neighbouring counties he was one of the justices itinerant in 3 Henry III., 1219, and again in 1225: and in 1227 the

[1] Matthew Paris and Philipot say the bishoprick of Chester; a name frequently given at that period to the see of Lichfield and Coventry, to which diocese the archdeaconry of Chester then belonged.

[2] Browne Willis's Mitred Abbeys; Godwin de Præsul. 317.; Le Neve, 124.

[3] Rot. Pat. 162.

[4] Rot. Claus. i. 276.

perambulation of the forests of Nottingham was made by him in conjunction with three others, under Hugh de Neville, the justice of the forests.[1]

CRIOL, NICHOLAS DE.

B. E. 1265.

BERTRAM DE CRIOL, who was the father of Nicholas, was engaged in the service of the king, apparently in the Exchequer, as he was custos of the see of Canterbury during its vacancy in 12 Henry III., and again in 32 Henry III.; and in 30 Henry III. a fine was directed to be paid to him for certain operations he was then conducting.[2] He was Sheriff of Kent for many years, and died in 40 Henry III., being then in such favour that part of the debt he owed to the crown was remitted.[3] He left two sons, this Nicholas and John.

That Nicholas retained the influence his father had possessed is shown by his receiving a licence to load a ship at Sandwich for a voyage to Flanders, and by his procuring a remission to his nephew Bertram of a debt which his father, John, Nicholas's brother, owed to the crown, on his death in 48 Henry III.[4] He was entrusted with the sheriffalty of Kent in the preceding year, and in 54 Henry III. was made governor of Rochester Castle.

In 49 Henry III., 1265, he is mentioned as a baron of the Exchequer, and as such sued one of his debtors in that court.[5] The date of his death does not appear.

He married Joan, the daughter and heir of William de Auberville, by whom he left a son Nicholas, who was summoned to parliament by Edward I., but not afterwards.[6]

[1] Rot. Claus. i. 387., ii. 77. 208.
[2] Excerpt. e Rot. Fin. ii. 232.
[3] Madox's Exch. ii. 13. 319.
[4] Madox's Exch. i. 568. 595. 718.
[5] Ibid. 412.
[6] Dugdale's Baron. i. 770.

CROKESLEY, RICHARD DE, ABBOT OF WESTMINSTER.

B. E. 1250.

RICHARD DE CROKESLEY succeeded the before-mentioned Richard de Barking as Abbot of Westminster, his election to which received the king's assent on March 25, 1247.[1] He is first named in Madox's List of Barons of the Exchequer in 35 Henry III., 1250–1, at the head of six; and again in 42 Henry III., 1257–8, at the head of eight: in both instances taking precedence of the treasurer, instead of being placed, as his predecessor was, after him.[2] In the interval between these two dates he had been dispatched by the king as his ambassador to the court of Rome[3]; and on two other occasions had been sent on missions to the Duke of Brabant, with John Mansel, Provost of Beverley, to negotiate a marriage between Prince Edward and the Duke's daughter; but they failed in their object. Matthew Paris describes him as a learned and elegant man, with a handsome person and a pleasing voice. He died about July 21, 1258, as some say by poison.[4]

CROYLAND, ABBOT OF. *See* R. DE MARSH.

CULEWORTH, WILLIAM DE.

JUST. 1236.

OF William de Culeworth little record remains. In 10 Henry III. he had a grant from the king of the marriage of the younger daughter of Brian le Ewer, whose property lay in Essex, Surrey, and York.[5] In the next year he was engaged in fixing the tallage for the counties of Cambridge

[1] Dugdale's Monasticon, ii. 283.
[2] Madox's Exch. ii. 318, 319.; Chron. Series.
[3] Rymer's Fœd. i. 344.
[4] Dart's Westminster, II. xxi.
[5] Rot. Claus. ii. 106.

and Hertford.[1] This employment, in connection with his future position on the bench, makes it very probable that he was regularly engaged in forensic occupations. From Easter, 1236, 20 Henry III., to Hilary, 1242, 26 Henry III., he was one of the justiciers at Westminster, fines being regularly acknowledged before him. In 23 Henry III. he had a salary of 20*l.* per annum assigned to him; and in the next year, 1240, he went the northern circuit with Robert de Lexinton.[2]

DAIVILL, JOHN DE.

JUST. ITIN. 1226.

JOHN DE DAIVILL, or D'Ayevill, was one of the justices itinerant appointed in 10 Henry III., 1226, for the county of Westmoreland. He was the son of Robert Daivill, a baron of Yorkshire and Nottingham; and had joined in the rebellion against King John, whereupon his lands were seized into the king's hands. Dugdale, in his Baronage, states that they were again forfeited for some offence in 38 Henry III., but being restored to favour, he was appointed justice of the forests beyond Trent in 41 Henry III., and was afterwards constituted governor of the castles of York and Scarborough. In the contest between the king and his barons, he joined the latter, and was summoned to the parliament they held after the battle of Lewes. He even continued the contest after the royal victory at Evesham, and suffering another defeat at Chesterfield, fled to the isle of Axholme, in Lincolnshire. He, however, purchased his peace in 51 Henry III., and was again restored to his possessions.

He married Maude, the widow of James de Aldithley,

[1] Rot. Claus. ii. 176. 180.

[2] Dugdale's Orig. Jurid. 42. 104., and Chron. Series.

or Audley; and Dugdale speaks of him as being in the expedition to Scotland in 28 Edward I., 1299; but it is evident that in the history of this family he must have missed a generation. His descendants were not summoned to parliament.[1]

DESPENCER, HUGH LE.

JUST. ITIN. 1259. JUST. ANGL. 1260.

THE steward of the king was, in the language of the time, called Dispensator, or le Despencer. As it is not known that the office was always continued in the same family, it is uncertain whether Hugh le Despencer was descended from Robert le Despencer, the steward of King William the Conqueror. There is no doubt that one of his progenitors held the office, if not in the reign of that king, of one of his successors, and that the title became a surname of the family. The immediate parentage of Hugh is variously told; Dugdale calling him a grandson of another Hugh, and the son of Thomas[2]; while Collins makes him the son of Geoffrey, and grandson of Thurstan.[3] If the former, Dugdale leaves us in doubt as to his actual ancestors, saying only that Hugh, the grandfather, was a contemporary with this Thurstan; but if the latter, his succession from the steward of Henry I. is clearly shown. There is, perhaps, some error in the pedigrees of both authorities; as there was a Hugh who had a brother named Thomas, to whom he was heir, and who died about 2 Henry III.[4]: and the fine rolls of that reign prove that the surname was not uncommon.

That Hugh le Despencer, however, was of the baronial

[1] Rot. Claus. i. 243. 249., ii. 128. 151.; Dugdale's Baron. i. 593.
[2] Dugdale's Baronage, i. 389. [3] Brydges' Collins' Peerage, iv. 496.
[4] Excerpt. e Rot. Fin. i. 18.

family of that name, is sufficiently proved by his accompanying Richard, King of the Romans, to Germany, in 41 Henry III., 1257[1], and by his being selected as one of the twelve commissioners on the part of the barons, at the parliament of Oxford, in 1258, 42 Henry III., when Hugh Bigot was nominated chief justiciary by them. In 44 Henry III. he went as a justice itinerant into three counties; and on the retirement of Hugh Bigot at the latter end of that year, he was appointed by the barons to succeed him. There are two entries on the fine roll of assizes to be taken before him as justiciary of England, dated respectively in March and June, 1261, 45 Henry III.[2] Although the king, in the following July, on resuming his authority, placed Philip Basset in the office of chief justiciary, Hugh le Despencer continued to act in the same capacity, on the part of the barons, till April, 1262, when, an accommodation taking place, Philip Basset seems to have been established in the office, as he certainly performed its functions during the king's absence in Guienne, from July to October in that year.[3]

On a pretended reconciliation between the king and the barons, in 1263, Hugh le Despencer was again appointed chief justiciary, and a mandate is attested by him in that character on October 1, 1263, 47 Henry III.[4] Early in the next year the barons' war again broke out, and the Earl of Leicester having secured the citizens of London on his side, Hugh le Despencer, at the head of their associated bands, destroyed the houses of Philip Basset and the loyalist nobility, with the palaces of the King of the Romans at Isleworth and Westminster, imprisoned the judges, seized the property of foreign merchants, and left the Jews, after

[1] Rymer's Fœd. i. 355.
[2] Excerpt. e Rot. Fin. ii. 348. 352.
[3] Ibid. ii. 385., &c.
[4] Ibid. ii. 405.

enriching himself with the ransom of some of the most wealthy, to the tender mercies of the mob.[1]

In the battle of Lewes, fought on May 14, 1264, the chief justiciary distinguished himself on the barons' side, taking prisoner Marmaduke de Twenge, whose ransom was fixed at seven hundred marks, for the payment of which he engaged his manor of Lund.[2] After the king's defeat, no less than six castles were placed under Hugh's government; and in September he had a grant of one thousand marks for his support in his office.[3] He was also appointed one of the six commissioners to treat with the pope's legate and the King of France, relative to the reformation of the state. It does not appear, however, that any proceedings took place under that commission.

In the following Michaelmas he was present in the Exchequer; in March, 1265, 49 Henry III., he was a witness as justice of England to the grant of the salary to the chancellor: and he is so called in another entry in the first week in May.[4]

In Leland's Collectanea[5], there is a statement that he afterwards quarrelled with the Earl of Leicester; and it is somewhat curious that in three records quoted by Brady[6], and dated respectively May 10, June 7 and 8, 1265, the title "Justiciarius" is added to the earl's name. This bears the appearance of the retirement of Hugh; but as in the following August he was in arms with that nobleman, the difference could not have been of long continuance. The firmness of his friendship was shown at the battle of Evesham, on August 4, 1265, when, refusing to quit the field before it began, though urged by the earl to do so, he and Leicester were slain together.

[1] Lingard's England, iii. 135.
[2] Brady's England, Appendix, 243.
[3] Rymer's Fœd. ii. 445.
[4] Madox's Exchequer, i. 71. 76., ii. 36.
[5] Leland's Coll. ii. 378.
[6] Brady's England, i. 650, 651., and Appendix, 245.

As a soldier, he seems to have been valiant and bold; but the few facts that are recorded of him in his capacity of chief justice of the kingdom are marked with the violence and rapacity of the times.

He married Alyna, or Aliva, the daughter and heir of Philip Basset, of Wicombe, in Buckinghamshire, who, after his death, became the wife of Roger Bigot, Earl of Norfolk. By her he left a son and a daughter, both infants of very tender age. The latter married Hugh de Courtney, father of Hugh, first Earl of Devon. The son, Hugh, succeeded to the barony, and was created Earl of Winchester in 1322; but both he and his son Hugh, the favourites of Edward II., being beheaded in 1326, and declared traitors by parliament, their honours became forfeited. The son of the latter, however, was summoned to parliament by Edward III. In 1397, Thomas, the then possessor of the title, was created Earl of Gloucester, but was beheaded in 1400, and being attainted, the honours were again forfeited. This attainder being reversed in 1461, the barony was restored to his granddaughter Elizabeth, the wife of Edward Nevill, whose male descendants continued to hold it till 1587, when, after a contest, it was confirmed to Mary Nevill, the wife of Sir Thomas Fane. His issue (Earls of Westmoreland) united the barony to their honours, until the death of John, the seventh earl, without issue, in 1762, when it fell into abeyance between the heirs of his two sisters, which the crown decided, in 1763, in favour of Sir Francis Dashwood, the son of the *elder* sister. On his death in 1781, the barony again fell into abeyance, which was terminated, in 1788, by the death of one of the claimants, and the succession of Sir Thomas Stapleton, baronet, who was sole heir of Lady Catherine Paul, the *younger* sister of Earl John. The present Baroness le Despencer is the granddaughter of Sir Thomas.[1]

[1] Nicolas's Synopsis of the Peerage.

DROES, HUGH DE.

JUST. ITIN. 1225.

HUGH DE DROES was appointed one of the two coroners of Wiltshire in 7 Henry III., and it was no doubt in that character that two years afterwards his name was added to the list of justices itinerant for that county.[1] In 10 Henry III., 1226, he was one of those appointed to take an assize at Devizes as to the last presentation of the church of Harrendon, and to collect the quinzime of the county.[2] He was still alive in 20 Henry III., when he assessed the tallage there.[3]

DUKET, RICHARD.

JUST. ITIN. 1225.

RICHARD DUKET was probably the son of Nicholas Duket, who was chamberlain of the city of London at the end of the reign of Richard I.[4] He held an office in the court in the early part of King John's reign, for his name frequently appears as a counter-signature to grants from 5 to 8 John, inclusive.[5] In the latter year, being then called "Clericus noster," he received a grant of an annual pension of five marks out of the abbey of Whitby.[6] The records are silent with regard to him from this time until 6 and 7 Henry III., when he was sheriff of the counties of Norfolk and Suffolk. In June, 1225, 9 Henry III., Simon de Hale and he were placed at the head of the justices itinerant commissioned to the counties of Essex and Hertford, Cambridge and Huntingdon, Bedford and Buckingham, Norfolk and Suffolk, and

[1] Rot. Claus. i. 560, ii. 76.
[2] Madox's Exch. i. 707.
[3] Ibid. ii. 136. 140. 146.
[4] Ibid. 776.
[5] *Rot. de Liberat.* 91—105.; *Rot. de Finibus*, 258.; Rot. Pat. 44. 58; Rot. Claus. i. 4—73.
[6] Rot. Claus. i. 83.

Northampton and Rutland[1]; and he had a grant of twenty marks for his expenses, and afterwards ten more.[2] While performing this duty in Norfolk and Suffolk, he was summoned to the king to undertake an embassy to the court of Rome, whither he proceeded with Philip de Hadham.[3] In the next year he was a justice itinerant for Lincolnshire, with an allowance of ten marks for his expenses; and in the following year for Kent, Essex and Hertford, and Norfolk and Suffolk.[4] Although in the latter year he had a grant of ten marks per annum out of the Exchequer[5], it does not appear that he was again appointed to perform these duties till 16 Henry III., when he visited Warwickshire, Leicestershire, Northamptonshire, Bedfordshire, and Buckinghamshire; and in 17 Henry III. he acted for Cornwall.[6] From the numerous commissions in which his name thus occurs through so many years, and the position which he occupies in them, it is not improbable that he was at this time one of the regular justiciers at Westminster. His death occurred previous to December 27, 1245, 30 Henry III., when his son Hugh paid ten shillings for his relief, and did homage for his lands in Lincolnshire.[7]

DUREDENT, WALTER.

Just. Itin. 1225.

All that is known of Walter Duredent is that he was a resident in Buckinghamshire, and that he acted as one of the justices itinerant for that county in 9 Henry III.[8]

[1] Rot. Claus. i. 77, 78.
[2] Ibid. ii. 68. 78. 103.
[3] Dugdale's Orig. Jurid. 104.
[4] Excerpt. e Rot. Fin. i. 446.
[5] Ibid. i. 45. 58.
[6] Ibid. ii. 141. 151. 213.
[7] *Dugdale's Chron. Ser.*
[8] *Rot. Claus. i. 77.b, ii. 77.*

DURHAM, BISHOPS OF. *See* R. DE MARISCO, R. POORE.

EBROICIS, STEPHEN DE.

JUST. ITIN. 1220.

THE only claim of Stephen de Ebroicis (Evreux) to be placed in this list arises from an entry of a mandate on the close rolls of 4 Henry III., constituting Martin de Pateshull, John de Monemue, Stephen de Ebroicis, and Warin de Granden, justices to deliver the gaols of Hereford, according to the custom of the kingdom, of all the prisoners therein detained.[1] It is evident, however, that he was only included in this commission on account of his being a knight residing in that county, where he possessed considerable property, the principal seat of which was the castle of Lenhall, for which manor he procured a market.[2] For his lands at Badelingham he was accustomed to pay annually thirty-two gallons of honey to the castle of Hereford; a charge from which he was for ever released in 17 John.[3] He died in 12 Henry III.[4]

ELERIUS, ABBOT OF PERSHORE.

B. E. 1257.

ELERIUS received the royal assent to his election as abbot of the monastery of Pershore, in Worcestershire, on March 19, 1259, 35 Henry III. From the year 1237 he had been Prior of Cogges, a priory of Black Monks, in Oxfordshire, connected with the abbey of Fescamp, in Normandy, in which he had formerly been a monk. He soon afterwards was appointed the king's escheator on this side Trent, being

[1] Rot. Claus. i. 437.

[2] Rot. Chart. 156.; Rot. Pat. 91.; Rot. Claus. i. 246. 346. 475. 572., ii. 74. 174. 188.

[3] Rot. Claus. ii. 188.

[4] Excerpt. e Rot. Fin. i. 168.

first named in that character on August 5, 1251; and he continued in the office till towards the end of 1255, 40 Henry III., for the most part alone, but sometimes with a coadjutor.[1] In the year of his retirement he was employed by the king on a financial commission into Wales, where he was most honourably received by Llewellyn and his nobles.[2]

In 42 Henry III., 1257–8, he is inserted in Madox's list of Barons of the Exchequer on the authority of the memoranda of that year[3]; but he is not mentioned afterwards in that court. He retired from the abbacy of Pershore on October 24, 1262, 46 Henry III., having previously granted to it his manor "de Hauckesburi."[4]

ELY, ARCHDEACON OF. *See* N. DE ELY.

ELY, BISHOPS OF. *See* H. DE NORTHWOLD, W. DE KILKENNY, J. DE KIRKEBY.

ELY, NICHOLAS DE, ARCHDEACON OF ELY; afterwards BISHOP OF WORCESTER AND WINCHESTER.

KEEPER, 1260. CHANCELLOR, 1263.

NICHOLAS, called of Ely, either from his birth there or from his holding the archdeaconry, was appointed to that dignity about 1249, 33 Henry III.

It is probable that he held some official situation in one of the departments of the court; but no notice occurs relating to him till October 18, 1260, when the barons placed the great seal in his hands. The patent says that Henry de Wengham, Bishop of London, delivered up both an old and a new seal to the king, who immediately, in the presence of the common council of magnates, gave the new one to

[1] Excerpt. e Rot. Fin. ii. 112—220.
[2] Lel. Coll. i. 243.
[3] Madox's Exch. ii. 319.
[4] Dugdale's Monast. ii. 412. 418., vi. 1003.

Nicholas de Ely, Archdeacon of Ely.[1] He kept it only till the 5th of the following July, when King Henry transferred it into the hands of Walter de Merton[2]; but by a separate patent specially recommended Nicholas for his good service.[3]

In the following year the king appointed him his treasurer; and on July 12, 1263, 47 Henry III., the great seal was again entrusted to him, and there is no doubt that he then had the title of chancellor, as he is so called in a fine which he paid to the king on September 1, for having the wardship of the lands and heir of Baldwin de Witsaind.[4] On the king's going abroad soon afterwards, the seal remained in his possession; with a prohibition, however, from affixing it to any instrument which was not attested by Hugh le Despencer, the chief justiciary.[5]

It does not appear how long he remained chancellor; but the next entry as to the great seal is in February, 1265, when John de Chishull delivered it up to the king, who placed it in the hands of Thomas de Cantilupe. It is clear, however, that previous to this time Nicholas de Ely had resigned the office of chancellor, and resumed that of treasurer, as he is mentioned in the latter character as one of the witnesses to a charter dated October 1, 1264.[6]

In September, 1266, he was advanced to the prelacy, being elected Bishop of Worcester, from which see he was on February 24, 1267, translated to Winchester; but was not enthroned till May in the following year. He presided over the latter diocese about twelve years, and died on February 12, 1280, at Waverley, in Surrey, where his body was buried, his heart being sent for interment at Winchester.[7]

[1] Rot. Pat. 44 Henry III., m. 2.
[2] Ibid. 45 Henry III, m. 8.
[3] Ibid. m. 7.
[4] Excerpt. e Rot. Fin. ii. 403.
[5] Rot. Pat. 47 Henry III., m. 1.
[6] Madox's Exch. ii 319.
[7] Godwin de Præsul. 222. 461.; Le Neve, 73. 285. 296.; Rapin, iii. 142.

ELY, RALPH DE.

B. E. 1240.

MADOX, in his list of barons of the Exchequer, introduces Ralph de Ely in the 24th and 27th years of Henry III. There is evidently, however, some mistake in the references, and I can find no other notice of his name.[1]

ENGAINE, WARNER.

JUST. ITIN. 1240.

IT does not appear whether Warner Engaine was connected with the noble family of that name, seated about this time in Northamptonshire. The first time he is mentioned is in the fine roll of 19 Henry III., March 7, 1235, when, being then custos of the honour of Richmond, he was directed to deliver it up to Alexander Bacon, who subsequently accounts for its proceeds from that precise day.[2] In 24 Henry III., 1240, he was the last of the seven justices itinerant (being those assigned for the northern counties) before whom a fine was levied at York.[3] At this time he had the custody of the king's manors, and failing to account for the proceeds in 29 Henry III., which then amounted to 517*l.* 6*s.* 2*d.*, his person was attached, and he was called upon to appear before the barons of the Exchequer.[4] On his death, which occurred before July 5, 1253, 37 Henry III., he was still indebted to the crown, as the king, on that day, granted his brother, James Engaine, permission to pay the balance due into the Exchequer, by half-yearly instalments of 100 shillings each.[5]

[1] Madox's Exch. ii. 318.
[2] Excerpt. e Rot. Fin. i. 275.; Madox's Exch. i. 335.
[3] Dugdale's Chron. Series.
[4] Madox's Exch. ii. 243.
[5] Excerpt. e Rot. Fin. ii. 166.

ENGLEFELD, ALAN DE.

JUST. ITIN. 1225.

ALAN DE ENGLEFELD, called so from the place of that name in Berkshire, of which he was the parson, was added to the commission of the justices itinerant for that county in 9 Henry III. He was at the same time coroner for Staffordshire [1], and possessed property not only in both these counties, but also in Oxfordshire and Buckinghamshire, all of which were seized into King John's hands, but restored to him on returning to his allegiance in 1 Henry III.[2] He was probably the uncle of the undernamed William de Englefield.

ENGLEFIELD, WILLIAM DE.

JUST. ITIN. 1255. ? JUST. 1260.

WILLIAM DE ENGLEFIELD was Sheriff of Devonshire in 36 Henry III., 1251, and the two following years.[3] He is first named in a judicial character, 39 Henry III., 1255, when he was one of the four justices itinerant who visited Sussex, Hants, and Wilts; and in the two following years the same four took the circuit of six other counties. His name does not then appear till 44 Henry III., 1260, when Hugh le Despencer and Nicholas de Turri, having been appointed to act in Oxfordshire, Berkshire, and Wiltshire, the former was displaced, and William de Englefield appointed in his stead.[4] About that time it seems probable, though Dugdale does not name him, that he was made a justicier at Westminster, for the Rotulus de Finibus contains an entry of an amercement imposed by him.[5] In 46 & 47 Henry III., he again was on the

[1] Rot. Claus. ii. 76. 124.
[2] Ibid. i. 300.
[3] Fuller's Worthies; Madox's Exch. i. 597., ii. 193.
[4] Dugdale's Chron. Series.
[5] Excerpt. e Rot. Fin. ii. 335.

commissions into several counties, and payments were made from March, 1265, to September, 1266, 49-50 Henry III., for assizes to be held before him.[1] He and Geoffrey de Leuknore were appointed, in 49 Henry III., to make an inquisition as to the lands given to the priory of Acornbury, in Hertfordshire.[2]

He derived his name from the town of Englefield, in Berkshire, where it is said his family had property above two hundred years before the Conquest. He was the son of John Englefield of that place, and was succeeded by his own son John, some of whose descendants represented the county in parliament, one in the reign of Henry VIII. being speaker, whose son Thomas will be noticed in that reign as a justice of the Common Pleas. Judge Thomas's nephew, Francis, was created a baronet in 1612; and the seventh possessor of the title, Sir Charles Henry Englefield, dying in 1822 without issue, it then became extinct.[3]

ERDINGTON, GILES DE.

Just. 1251.

Thomas, the father of Giles de Erdington, was of an opulent family seated at Erdington, near Aston, in Warwickshire. He was Sheriff of Shropshire and Staffordshire, and chamberlain to King John, in whose service he was honourably and frequently employed. He died in 2 Henry III., when his possessions were placed under the custody of William, earl marshal. He married Roesia, the widow of Adam de Cokefield, and at his death left a daughter, Mary, who was then the widow of William Fitz-Alan, Lord of Clun.[4] Giles

[1] Excerpt. e Rot. Fin. ii. 422—445. [2] Dugdale's Monast. vi. 489.
[3] Burke's Extinct Baronetage.
[4] Dugdale's Baronage, ii. 111.; Chron. Joscelini de Brakelonda, 141.; Rot. Claus. i. 113. 156. 167, 168.

was evidently a minor when his father died, and so continued for the twelve following years; for it was not till April 12, 1230, 14 Henry III., that he obtained permission from the king to pay his father's debts by instalments of 100 shillings a year.[1] Though there are no reports of the period to prove his employment, it may be presumed that in the twenty years that intervened before he attained to the judicial bench, he practised in the courts at Westminster. He was made a judge before August, 1251, 35 Henry III., that being the first date of a payment for an assize to be taken before him; and he was one of those who held pleas for the city of London in that year. His name occurs in fines from the next year till Michaelmas, 38 Henry III., but not later. At that date he is mentioned on the roll as one of the justices acting in the king's court; and the Rot. de Finibus proves that he retained his place on the bench till December, 1267, 52 Henry III. Dugdale records only two circuits which he went during that period, viz. in the 44th and 46th years of the reign, but there were probably more which he has omitted.[2]

He died a few months after the last entry on the Fine Roll; the executors of his will, on March 15, 1269, 53 Henry III., obtaining an order on the escheator south of Trent to deliver to them his goods and chattels, on giving security for the payment of any debts he might owe.[3] Although Dugdale, in his Origines Juridiciales, calls him a canon of St. Paul's, he makes him, in the Baronage, father of Henry, who succeeded to his estates, and whose son, also Henry, was summoned to parliament in 9 Edward III., but not afterwards.[4]

[1] Excerpt. e Rot. Fin. i. 195.

[2] Dugdale's Orig. Jurid. 43., and Chron. Series; Excerpt. e Rot. Fin. ii. 113—464.; Abbrev. Placit. 137.

[3] Excerpt. e Rot. Fin. ii. 484.

[4] Dugdale's Orig. Jurid. 21.; Baronage, ii. 112.

ESSEBY, JORDAN DE.

Just. Itin. 1225.

Jordan de Esseby (Ashby) was the grandson of another Jordan, and had considerable possessions in the county of Lincoln; which were confirmed to him by a charter in 15 John.[1] Others were subsequently conferred upon him by that king for his adherence to the royal cause.[2] In 7 Henry III. he was, with two others, appointed by the Archbishop of York to appear for him before the barons of the Exchequer relative to the debt due by his predecessor to the crown[3], from which it may be inferred that he was an advocate in the court. He was selected as one of the justices itinerant for Lincolnshire in 9 Henry III., June, 1225, being at that time constable of Lincoln Castle.[4]

ESSEBY, ROBERT DE.

? Just. 1243.

The only occurrence of this name, sometimes called Esseburne, in the list of regular justiciers, is in the acknowledgment of a fine in Hilary, 27 Henry III., 1243.[5] In 5 Henry III., 1221, a Robert de Esseby was appointed with William Basset to deliver the gaol at Roell in Leicestershire[6]; and Robert and Thomas de Esseburn, in 10 Hen. III., were attorned by William de Ferariis in a suit he had against Walter de Widevill.[7] In the confusion between persons of the same surname at this time, it is difficult to ascertain to what family each belongs; but it would appear that Robert's

[1] Abbrev. Placit. 83.; Rot. Chart. 196.
[2] Ibid. i. 935.
[3] Rot. Claus. i. 224. 290.
[4] Ibid. ii. 68. 77.
[5] Dugdale's Chron. Series.
[6] Nicholls's Leicestershire, 579.
[7] Rot. Claus. ii. 153.

property was situate in the counties of Leicester, Northampton, and Nottingham.[1]

ESSEX, ARCHDEACONS OF. *See* T. DE VALOINES, R. DE LA LEYE.

EVERDON, SILVESTER DE, ARCHDEACON OF CHESTER, and BISHOP OF CARLISLE.

KEEPER OR CHANCELLOR, 1242—1244. JUST. ITIN. 1252.

SILVESTER, one of the king's chaplains, appears as a witness to charters granted in 7 and 9 John. He had, about that time, presentations to the churches of Bulewell, Fremesfeld, and Tatham in succession.[2] In all these he is called by his Christian name alone, and may possibly, therefore, not be the person who afterwards became bishop. In 8 Hen. III., 1224, however, Silvester de Everdon is expressly mentioned as a demandant of a virgate of lands which he claimed as belonging to his church of Everdon, in Northamptonshire; and it was probably on acquiring this preferment that he assumed the name.[3] In the following year he was evidently engaged in the king's service in the same way as the clerks of the Exchequer or Treasury frequently were, and is called "clericus noster."[4]

It was no doubt in this character that he had the custody of the great seal under the Bishop of Chichester, then chancellor, when the king, on May 5, 1242, confided to the Archbishop of York the government of the kingdom during his absence in Gascony.[5] Soon after the Bishop of Chichester's death, (Mr. Hardy says, on November 14, 1244), he was appointed either chancellor or keeper, and is stated to

[1] Rot. Claus. i. 253. 258., ii. 25.; Abbrev. Placit. 99.
[2] Rot. Pat. 155. 157. 166. 168. 171. 185.
[3] Rot. Claus. i. 631.
[4] Ibid. ii. 55. 63.
[5] Rot. Pat. 26 Henry III., m. 2.

have been one most cunning in the custom of the Chancery. In the next year he received the archdeaconry of Chester, from which he was advanced, in August, 1246, to the bishoprick of Carlisle; but was not consecrated till the ensuing February. He was succeeded in the Chancery by John Mansel in November, 1246. In 1251 and 1252, he acted as a justice itinerant in the counties of York, Nottingham, Derby, Warwick, and Leicester.

When the bishops and nobles, in 1253, went to the king with the conditions upon which they granted the aid he demanded, and the former were sharply reminded that their elevation was effected by the very causes of which they complained, Matthew Paris relates that to Silvester de Everdon he addressed himself thus: "And thou, Silvester of Carlisle, who so long licking the Chancery, wast the little clerk of my clerks, it is well known to all how I advanced thee to be a bishop, before many reverend persons and able divines."

He was killed by a fall from his horse on May 13, 1254.

EVESHAM, Abbots of. *See* Randolph, R. Crassus.

EVESK, HENRY LE.

Just. Itin. 1225.

The property of Henry le Evesk was situated in Cambridgeshire, and was all seized into the king's hands during the troubles of the time of John. By returning to his duty he obtained a restoration of them on the accession of Henry III.[1], in the ninth year of whose reign he was selected as one of the justices itinerant in that county and Huntingdonshire; and appointed to collect the quinzime charged on both coun-

[1] Rot. Claus. i. 324.

ties in the following year.[1] The name was very common among the Jews at that period.

EXETER, CHANCELLORS OF. *See* H. DE WINGHAM, R. DE HENGHAM.

EXETER, TREASURER OF. *See* W. DE RALEIGH.

FAUCONBRIDGE, EUSTACE DE, afterwards BISHOP OF LONDON.

JUST. 1216.

See under the Reign of John.

THIS prelate was born in Yorkshire, but his relationship to the noble family of that name is not distinctly traced. Neither is any mention made of him until he appears in 1 John, 1199, among the justicies before whom fines were levied at Westminster.[2] In this capacity he regularly acted during the whole of that, and for the first three years of the succeeding reign.[3] In 2 Henry III. he was appointed treasurer of England[4], a station which he held for the remainder of his life, during the whole of which he was in the constant confidence of the sovereigns whom he served. Each of them employed him in embassies to the court of France, King John in 1204[5], and King Henry in 1223 and 1225[6], and from each of them he received various marks of favour.

To his judicial duties he added those of an ecclesiastic, and held a canonry in the cathedral of St. Paul's. On Feb. 25, 1221, 5 Henry III., he was elected Bishop of London, and was consecrated on the 25th of the ensuing April. His high character may be estimated by the following distich, which

[1] Rot. Claus. ii. 76. 146.
[2] Fines of Richard I. and John.
[3] Dugdale's Orig. Jurid. 42.; Abbrev. Placit. 39. 116.
[4] Rot. Claus. i. 368. 447.
[5] Ibid. 16. 32.
[6] Ibid. i. 556., ii. 41. 47.

was written on his being elevated in opposition to several other claimants: —

> " Omnes hic digni, tu dignior omnibus; omnes
> Hic plene sapiunt, plenius ipse sapis."

Little is told of his episcopal career, except that during his time the contest between the canons of St. Paul's and the monks of Westminster was terminated by freeing the latter from the bishop's jurisdiction. He still continued actively to perform his duties at court, and was a frequent witness to charters and other royal documents until a fortnight before his decease.[1] In 1224 the great insurgent, Faukes de Breaute, was committed to his custody.[2] He died on October 31, 1228, and was buried in his cathedral, to which he had been a considerable benefactor.[3]

FERTE, RALPH DE LA.

JUST. ITIN. 1218.

RALPH DE LA FERTE, so called from a town in Normandy, was resident in Cumberland. In 17 John he was constable of Carlisle[4], and in 3 Henry III., 1218, was appointed a justice itinerant in that county; performing the same duty there in 9 Henry III., and in the following year in the county of Westmoreland; and collecting the quinzime in Cumberland.[5] The William de la Ferté who married Margaret, one of the daughters of William Briwer, was probably his son.

[1] Excerpt. e Rot. Fin. 12 Henry III., i. 177.
[2] Roger de Wendover, iv. 98.
[3] Godwin de Præsul. 179.; Fuller's Worthies, Yorkshire.
[4] Rot. Pat. 163.
[5] Rot. Claus. ii. 77. 147. 151.; Dugdale's Chron. Ser.

FITZ-ALAN, BRIAN.

JUST. ITIN. 1225.

BRIAN FITZ-ALAN was the son of Alan Fitz-Brian, a grandson of Alan, Earl of Britanny and Richmond.[1] In 2 John he had a grant of free warren over all his lands not within the king's forests; a great favour in those times.[2] At the end of the reign, however, he took part with the insurgent barons; but his estates, which were thereupon seized, were restored soon after the accession of Hen. III.[3] In 9 Hen. III., he was appointed one of the justices itinerant for Yorkshire; and afterwards performed the same duty in Lancashire in 10 Henry III., in Cumberland in 11 Henry III., and again in Yorkshire in 15 Hen. III.[4] From 13 to 19 Hen. III., he was Sheriff of Northumberland; and from 21 to 23 Hen. III., he held the same office in Yorkshire.[5] The time of his death is not mentioned; but his son Brian succeeded him, and dying without male issue, the barony is in abeyance among the descendants of his two daughters, Agnes, the wife of Sir Gilbert Stapelton, and Katherine, the wife of John Lord Grey de Rotherfield.[6]

FITZ-HENRY, RANULPH.

JUST. ITIN. 1234.

THIS family, which eventually adopted the name of Fitz-Hugh, may be traced back to Bardolph, who was lord of Ravensworth, in Richmondshire, in the time of William the Conqueror. Ranulph Fitz-Henry was the son of Henry Fitz-Hervey, the grandson of Bardolph, and of Alice, the

[1] Dugdale's Baronage, i. 23.
[2] Rot. Chart. 66.
[3] Rot. Claus. i. 165. 338, 339.
[4] Ibid. ii. 77. 151. 213.; Dugdale's Chron. Ser.
[5] Fuller's Worthies.
[6] Nicolas's Synopsis.

daughter of Randolph Fitz-Walter, ancestor of the barons of Greystock. His father died in 1201, 3 John[1]; and the first mention of his name occurs in the seventeenth year of that reign, when, having shown symptoms of joining the discontented barons, he obtained a safe conduct to go to the king to make his peace, which he effected on the payment of a fine of fifty marks.[2] He married Alicia, the daughter and heir of Adam de Staveley, and in 2 Henry III. fined forty marks for having livery of the lands held by his father-in-law in capite, in Yorkshire.[3]

In 18 Henry III., August 1, 1234, he was appointed one of the justices itinerant then sent into Cumberland.[4]

He died, not as Dugdale states, in 1262, but before January 13, 1243, 27 Henry III.; for on that day a writ was granted to Alicia, who "*was* the wife of Ranulph Fitz-Henry."[5] He was succeeded by his son, Henry Fitz-Ranulph, from whose son, Hugh Fitz-Henry, the name of Fitz-Hugh was permanently adopted. The barony continued in male heirs till 1512, since which time it has been in abeyance.[6]

FITZ-HERBERT, MATHEW.

JUST. ITIN. 1218.

MATHEW FITZ-HERBERT, a younger son of Herbert Fitz-Herbert, who was chamberlain to Henry I.[7], was attached to King John's court, and is a frequent witness to his charters from the sixth year of his reign.[8] From 12 to 17 John he was Sheriff of Sussex, during part of which time

[1] Dugdale's Baronage, i. 403.
[2] Rot. Pat. 17 John, 163.; Rot. de Finibus, 569.
[3] Excerpt. e Rot. Fin. i. 14.
[4] Dugdale's Chron. Series.
[5] Excerpt. e Rot. Fin. i. 393.
[6] Nicolas's Synopsis.
[7] Dugdale's Baronage, i. 625.
[8] Rot. Chart. 140., &c

he held the office of custos of the port of London[1]; and in 18 John the castle of Pontoise was delivered to his charge.[2] His services and faithful adherence to his sovereign were not without reward; besides the lands of William Pont Arch, in Gloucestershire, he received a grant of the manors of Wufrinton and Kinemesdon, in Somersetshire; and he possessed the manor of Chedelinton, in the same county, for which he obtained a market.[3] He married Joanna, daughter and heiress of William de Mandeville and Mabilia Patric his wife, and by her right had the land of Ollonde, in Normandy, for which he fined three hundred marks, which were afterwards remitted to his son when Normandy was lost.[4]

For the first thirteen years of the next reign he continued Sheriff of Sussex, and acted twice as a justice itinerant; in 3 Henry III. in Wiltshire, Hampshire, Berkshire, and Oxfordshire; and in 11 Henry III. in the counties of Kent, Essex and Hertford, and Norfolk and Suffolk.[5] His residence was at Stoke (Erlestoke), in Wiltshire, for the rebuilding of which King Henry gave him ten oaks out of the forest of Chipenham.[6]

He died before February 13, 1231, 15 Henry III.; for on that day his widow Joanna obtained a respite of the debts he owed to the king; and a week afterwards his son Herbert (called Herbert Fitz-Mathew) did homage for his father's lands in Wiltshire.[7] Herbert died in 1245, when his possessions devolved on his next brother, Peter[8]; who also dying, in 1255, without issue, was succeeded by John, the son of the third brother, Mathew.[9] The records prove clearly the succession up to this John, to whom Dugdale adds a son,

[1] Rot. Claus. 15 John, i. 145.
[2] Rot. Pat. 184.
[3] Ibid. 194.; Rot. Claus. i. 17. 48. 363.
[4] Rot. Scacc. Norm., Observations, II. exc.
[5] Dugdale's Chron. Ser.; Rot. Claus. ii. 213.
[6] Rot. Claus. i. 443.
[7] Excerpt. e Rot. Fin. i. 211.
[8] Ibid. 430. 432.
[9] Ibid. ii. 205.

called Mathew Fitz-John, who died in 2 Edward II., 1308–9. If then the genealogists are right in deriving the Finches from "Herebertus filius Hereberti dicti Finch defuncti," who was under age in 31 Edward I., 1302–3[1], either this Herebertus or the Mathew Fitz-John must have been of another family. The name of Finch is stated to have been adopted by Herbert Fitz-Herbert about 10 Edward I., when he purchased the manor of Finches, in Lid, in Kent.[2] From him, whatever may have been his parentage, there is no doubt, descended John Finch, lord chief justice and lord keeper to Charles I., who was created Baron Finch, of Fordwich, and died without issue in 1660. To this title may be added those of the earldoms of Winchelsea, Nottingham, and Aylesford, the viscounty of Maidstone, and the baronies of Finch, of Daventry, of Guernsey, and Fitz-Herbert, which have been granted to different members of the family.

FITZ-JOEL, WARIN.

Just. Itin. 1224. Just. 1226.

Warin Fitz-Joel was the last named of the four justices itinerant who, in 8 Henry III., 1224, were sent to Dunstable to take the assizes of novel disseisin[3], and whose judgments against Faukes de Breaute led to such fatal consequences to that turbulent baron. His services were rewarded by a quittance of the fine agreed to be paid by him for the custody of the lands and heir of John de Reiny, and by a grant of the manor of Hemmeston, in Devonshire, until that heir was of age.[4] In December, 10 Henry III., 1225, he went as justice itinerant into Cornwall; a fine was levied before him in Easter; and in October he was sent with

[1] Brydges' Collins' Peerage, iii. 371. [2] Hasted's Kent, vii. 404.
[3] Rot. Claus. i. 631., where the name is by mistake spelled "fil. Ivel." Ibid. i. 547., ii. 4.

Thomas de Muleton on a special commission into Norfolk, to inquire into certain robberies committed on the merchants of Norway. For his expenses in the latter he had an allowance of forty shillings, having previously received five marks in May for his support in the king's service.[1] In the following January he acted as a justice itinerant in Hampshire, and also in the counties of Somerset, Dorset, and Wilts.[2]

FITZ-JOHN, THOMAS.

JUST. ITIN. 1234.

THOMAS FITZ-JOHN is the second person named in the list of four justices itinerant for the county of Cumberland in 18 Henry III., 1234[3]; but no satisfactory evidence has been obtained as to the family to which he belonged. He had a grant in 17 John of the lands of Philip Fitz-John, in Yorkshire, during pleasure; and in 10 Henry III. was one of those appointed to assess the quinzime in Westmoreland.[4] He may possibly have been a second son of John Fitz-Geoffrey (the son of Geoffrey Fitz-Peter, Earl of Essex, by Aveline, his second wife), who, in the same year, was Sheriff of Yorkshire.[5]

FITZ-RANULPH, RALPH.

JUST. ITIN. 1262.

RALPH FITZ-RANULPH was the son of the under-named Ranulph Fitz-Robert, and a descendant, therefore, from Ranulph de Glanville.[6] Dugdale introduces his name among the justices itinerant into the northern counties in 46 Hen. III.,

[1] Rot. Claus. ii. 117. 145. 147. 156. 158.; Dugdale's Orig. Jurid. 42.
[2] Rot. Claus. 11 Henry III., ii. 205.
[3] Dugdale's Chron. Series.
[4] Rot. Claus i. 245., ii. 147.
[5] Dugdale's Baronage, i. 706.
[6] Excerpt. e Rot. Fin. ii. 147.

1262; but it is apparent that this iter was only for pleas of the forest[1]; Robert de Neville, warden of the forests north of Trent, being at the head. He died in 54 Henry III., about April, 1270, when his lands were taken into the king's hands; but in the following June Robert de Neville and Robert de Tattershall, the husbands of two of his three daughters, did homage for their thirds. The youngest daughter, Anastasia, who was a posthumous child, and her mother of the same name, died in less than two years, when the third of the former and the dower of the latter were divided equally between the others.[2]

FITZ-REGINALD, RALPH.

JUST. ITIN. 1229.

THE name of Ralph Fitz-Reginald occurs three times as a justice itinerant; viz. in 14 Henry III., 1229, in Sussex and Rutland; in 16 Henry III. in Warwickshire and four other counties; and in 18 Henry III., 1234, in Rutland alone. From these appointments, which are evidently not referable to any local property, it seems probable that he was connected with the courts of law, and this might also have led to his being employed in 11 Henry III. in the assessment of Lincolnshire.[3] He had been a partisan of the barons against King John; but on the accession of Henry III. his forfeiture was reversed on returning to his allegiance.

FITZ-ROBERT, JOHN.

JUST. ITIN. 1226. ? B. E. 1238.

JOHN FITZ-ROBERT was the son and heir of Robert Fitz-Roger, Lord of Clavering in Essex, and Warkworth in

[1] Dugdale's Chron. Series.

[2] Excerpt. e Rot. Fin. ii. 514. 563. Dugdale's Chron. Series; Rot. Claus. i. 323., ii. 176.

Northumberland, noticed as a justicier in the reigns of Richard I. and John. Soon after his father's death in 14 John, he was appointed to the sheriffalty of Norfolk and Suffolk, which he held in the sixteenth and seventeenth years of that reign. He then joined the insurgent barons, and was one of the twenty-five to whom was entrusted the enforcement of Magna Carta. He obtained restitution of the possessions he then forfeited soon after the accession of Henry III., and in subsequent years received several marks of royal favour. He held the sheriffalty of Northumberland for four years, commencing in 9 Henry III.; and in 10 Henry III. was nominated one of the justices itinerant for Yorkshire. There is a writ in the Exchequer, in 22 Henry III., June 16, 1238, which bears the appearance of his then acting as a baron of the Exchequer.

His first wife was Joane, for the good estate of whom and himself the canons of Bardney, to whom he was a great benefactor, undertook to celebrate divine service for ever. He afterwards married Ada de Baillol, who, on his death in 25 Hen. III., 1241, fined two thousand marks for the custody of his lands and heirs, Hugh and Roger. The former of these probably died during minority, for he was succeeded by Roger, whose grandson assumed the name of Clavering, as before mentioned.[1]

FITZ-ROBERT, RANULPH.

JUST. ITIN. 1226.

RANULPH FITZ-ROBERT was the grandson of that Robert Fitz-Ralph who married one of the daughters of Ranulph de

[1] Dugdale's Baron. i. 106.; Rot. Pat. John, 136. 141. 150. 180.; Rot. Claus. i. 316. 608. 618., ii. 33. 88. 104. 151. 185.; Excerpt. e Rot. Fin. i. 337. 342. Dugdale, in his Chronica Series, by mistake, calls him *Jord.* fil. Roberti in a fine of 11 Henry III., the three other justices before whom that fine was levied being his associates in the Iter into Yorkshire above mentioned. Madox's Exch. ii 317.

Glanville. He had an elder brother Ralph, who, dying without issue, left him his heir. In 7 John he paid a fine of two hundred marks for having the third part of the land in Braham and Leburn which had belonged to William de Stuteville in right of his wife Berta, the niece of Ranulph de Glanville; and also for two precipes before the king, for a third part of the free tenements of the justiciary, one against Thomas de Arden, and the other against Hugh de Auberville, the representatives of that great man's two other daughters.[1] In 12 John he accompanied the king to Ireland[2]; but before the end of the reign took part against him in the contest with the barons. Returning, however, to his allegiance before the king's death, his manor of Saxtorp, in Norfolk, of which he had been deprived, was restored to his possession.[3] Little further is recounted of him, except that he twice filled the office of a justice itinerant; once in 10 Henry III., 1226, for Lancashire, and another time in 15 Henry III., 1230, for Yorkshire.[4] His death occurred before December 25, 1252, 37 Henry III., when his son and heir, Ralph (who has been mentioned in a former page as Ralph Fitz-Ranulph), did homage for his lands in Norfolk, paying fifty shillings for his relief.[5]

FITZ-ROBERT, WALTER.

JUST. ITIN. 1225.

WALTER FITZ-ROBERT was forester of the county of Huntingdon, and for some offence in the exercise of his office was imprisoned in 14 John, and did not obtain his release without a fine of two palfreys. He afterwards joined

[1] Rot. de Finibus, 337. 369.
[2] Rot. de Præstito, 207.
[3] Rot. Pat. 163. 165. 180.; Rot. Claus. i. 216.
[4] Dugdale's Chron. Ser.; Rot. Claus. ii. 151.
[5] Excerpt. e Rot. Fin. ii. 147.

the barons against the king, but returned to his duty at the commencement of the next reign. His appointment as one of the justices itinerant in Huntingdonshire, in 9 Henry III., no doubt arose from his continuing to hold the above office in that county, of which there are several evidences, in the following year.[1]

FITZ-ROGER, WILLIAM.

JUST. ITIN. 1218.

ONE of the justices itinerant appointed for York and Northumberland in 3 Henry III., 1218, was William Fitz-Roger[2]; but of what family is uncertain. If, as it seems probable, he were of Lincoln, he married Agnes de Scotney.[3]

FITZ-ROSCELIN, WILLIAM.

JUST. ITIN. 1225.

ALTHOUGH Dugdale introduces William Fitz-Roscelin as one of the justices itinerant for Norfolk and Suffolk in 9 Henry III., it appears by the roll that he, being ill at the time, did not act, but that Nicholas Pincerna was appointed in his place.[4] On several occasions, however, about this period, he had been named with others to take assizes of novel disseisin in the county of Norfolk; and in 11 Hen. III. he was the first named in a commission into that county to try two prisoners of the Bishop of Ely, who were charged with murder, and for whom the bishop had not a gaol sufficiently secure.[5] He was selected for these purposes, not as a regular justicier, nor as a lawyer, for there is no evi-

[1] Rot. Claus. i. 120. 333. 397., ii. 75. 77. 129. 145.
[2] Ibid. i. 403.
[3] Madox's Exch. i. 488.
[4] Rot. Claus. ii. 77.
[5] Ibid. 7, 8, and 9 Henry III., i. 552. 633. 655., ii. 72. 83. 159.

dence that he was either, but as one of the leading proprietors of the county, who were frequently so employed.

He held, among other possessions, the manor of Heyford in Norfolk; and in 8 John, all his lands were seized by the king for some supposed concurrence in an offence which had been committed by Roger de Cressy. It was only by a fine of sixty marks and two good hawks that he obtained their restoration in the following year.[1] In 15 John he was so far in the confidence of the court as to be employed as one of the commissioners appointed to enquire into the losses sustained by the clergy in the diocese of Norwich; and he obtained a licence not to be placed on any assize or jury in the county, except in cases in which the king was concerned.[2] Before the end of that reign, he either fell off from his allegiance, or was suspected of intending to do so, as his son Andrew, and his grand-daughter, Alice, were placed as hostages for him in the custody of the constable of Orford Castle; and he fined two hundred marks. Nor did he feel sufficiently exonerated on the accession of Henry III., for he then deemed it necessary to come in to offer his homage, and to procure full letters of restitution addressed to the sheriff of his county.[3] His wife's name was Lecia, or Alicia.[4]

FITZ-SIMON, RICHARD.

Just. Itin. 1225.

Richard Fitz-Simon, in 1 Henry III., paid a hundred shillings for having such seisin of his father's lands as his father had at the beginning of the war; namely, that between King John and his barons, in the course of which it is

[1] Rot. de Finibus, 373. 428.; Rot. Claus. i. 80. 82.
[2] Rot. Claus. i. 154. 156. 164, 165.
[3] Rot. de Finibus, 589.; Rot. Claus. i. 257. 332.
[4] Excerpt. e Rot. Fin. i. 157.; Abbrev. Placit. 47.

probable he died. These lands had been forfeited by his father, Simon Fitz-Richard, in 17 John, and were situate in the counties of Leicester, York, Huntingdon, Norfolk, Suffolk, and Essex. In the latter of these counties he had the manor of Dunmow, for which, in 11 Henry III., he procured the grant of a market and fair.[1] He was one of the justices itinerant appointed in 9 Henry III. for Essex and Hertfordshire; and in the two following years was a commissioner to collect the quinzime and to assess the tallage there, and in Cambridge and Huntingdon.[2] He died in 17 Henry III., when Matilda de Luci paid three hundred marks for the custody of his lands till his son Simon came of age.[3]

FITZ-WARINE, FULCO.

? JUST. 1264.

DUGDALE introduces Fulco Fitz-Warine as a justicier of the bench.[4] The only authority he produces is Leland, who, in his Collectanea, inserts a MS. chronicle, by an unnamed or unknown author, where it is asserted that William de Wilton and Fulco Fitz-Warine, "justiciarii regis," were slain at the battle of Lewes, May 14, 1264.[5] This chronicle is stated to extend to the reign of Henry IV., so that the writer was not living at the period in question: but the fact is probably copied from the chronicle of William de Rishanger[6], where it occurs in the same words. There is no doubt that both these persons met their death at that battle, nor that the former was a justiciary: but Fulco Fitz-Warine, who was a Shropshire baron, is never mentioned even as a justice itinerant. One of his descendants, John Bourchier,

[1] Rot. Claus. i. 245. 250. 324., iii. 197; Excerpt. e Rot. Fin. i. 2. 12. 234.
[2] Rot. Claus. ii. 76. 147. 180. 208.
[3] Excerpt. e Rot. Fin. i. 234.
[4] Dugdale's Chron. Series.
[5] Leland's Coll. i. 175.
[6] Chron. Rishanger, 33.

was created Earl of Bath, a title which became extinct on the death of the fifth earl without issue, in 1654. The barony fell into abeyance among the daughters of the fourth earl.[1]

FITZ-WARINE, WILLIAM.

JUST. ITIN. 1225.

WILLIAM FITZ-WARINE[2] was a younger brother of the above-mentioned Fulco Fitz-Warine. In the early part of John's reign he was greatly in the king's favour, receiving a grant of the manor of Dilun, in Herefordshire, in 6 John; being excused his scutage in the following year; and in 9 John obtaining royal "literas deprecatorias" to Gila de Kilpec, urging her to marry him without delay. For this intercession on his behalf he presented the king with an entire horse and a palfrey.[3] On this lady's death he was again indebted to royalty for a wife, paying a fine of fifty marks, in 2 Henry III., for permission to marry Agnes, one of the sisters and coheirs of John de Wahull, and widow of Robert de Bassingeham. He was at this time Sheriff of Lincolnshire.[4] In 9 Henry III. he was engaged in building the hospital of St. Thomas, at Hereford, and received five oaks out of the forest of Trivel to assist in the erection, as a donation from the king, who afterwards granted a piece of land for him to build a mill for the poor in its neighbourhood.[5] In the same year he was appointed one of the justices itinerant for Bedfordshire, in which county the manor of Wahull, now his in right of his second wife, was situate. And in the two following years he performed the

[1] Dugdale's Baronage, i. 443.; Nicolas's Synopsis of the Peerage.
[2] Dugdale's Baronage, i. 446.
[3] Rot. Claus. i. 25. 28. 43.; Rot. de Finibus, 375.
[4] Excerpt. e Rot. Fin. i. 3. 7.; Rot. Claus. i. 380.
[5] Rot. Claus. ii, 16. 100.

same duty in several other counties, in most of which he had property, viz.: in May, 1226, 10 Henry III., in Nottingham and Derby, Warwick and Leicester, and Worcester and Gloucester; in January, 1227, 11 Henry III., in Hereford, Stafford and Shropshire, and Oxfordshire; and in the following August, in Northampton, Bedford and Buckingham, Cambridge and Huntingdon, and Rutland.[1] In Easter, 12 Henry III., his name appears upon a fine levied before him; and Dugdale has therefore introduced him among the regular justiciers of this reign.[2] The probability, however, is, that this was merely a fine acknowledged for one of the counties in which he had acted as a justice itinerant; for there is no entry to show that he ever sat on the bench at Westminster, and he is not subsequently noticed in a judicial capacity.

The castle of Rockingham was entrusted to him as constable in 10 Henry III., in which year he sent five hundred Welsh to Prince Richard, the king's brother, in Gascony.[3] In 13 Henry III. he was Sheriff of Worcestershire (of Upton in which county he is described by Collins), and executed the same office in Herefordshire in 16 Hen. III. and the two following years. During the rest of his life he sustained the part of a loyal knight, assisting his sovereign as one of the lords of the Marches, and attending the king in 37 Henry III. in his expedition to Gascony.

He left an only daughter, who married Thomas Littelton, ancestor of the eminent judge of that name in the reign of Edward IV.[4]

[1] Rot. Claus. ii. 77. 140. 151. 154. 205. 213.
[2] Dugdale's Chron. Ser.
[3] Rot. Claus. ii. 110. 130.
[4] Brydges' Collins' Peerage, viii. 317.

FITZ-WILLIAM, ADAM.

JUST. ITIN. 1225. JUST. 1232.

ADAM FITZ-WILLIAM was possessed of property in the county of Hertford, which he forfeited in 17 John, for his adherence to the barons. On that king's decease he returned to his allegiance, and was restored to his lands.[1] He first appears in a judicial character in 9 Henry III., when he was appointed a justice itinerant in Essex and Hertfordshire. In the same year he assisted in collecting the quinzime in those counties[2], and Roger de Wendover gives the writ by which he and others were directed to assess the quadragesima in 16 Henry III.[3] A fine in the latter year (Easter, 1232) was acknowledged before him, and from that time until Hilary, 21 Henry III., 1237, several others occur[4], showing that he was then one of the regular justiciers at Westminster. This is further proved by the usual fine of half a mark being paid by a party for having an assize of novel disseisin before him and William de St. Edmund in 18 Henry III.[5], and by his being ordered in 20 Henry III. to sit at Westminster as a justice of the Bench with his companions there.[6] There are numerous mandates addressed to him from 18 to 20 Henry III. as one of the king's escheators.[7]

FITZ-WILLIAM, HUGH.

JUST. ITIN. 1246.

THERE are so many persons of the name of Hugh Fitz-William who lived about this period that, without a better clue than has been obtained, it is impossible to decide which was the justice itinerant so called, who, in 30 Henry III.,

[1] Rot. Claus. i. 229. 245. 318.
[2] Roger de Wendover, iv. 469.
[3] Excerpt. e Rot. Fin. i. 255.
[4] Ibid. ii. 76. 147.
[5] Dugdale's Orig. 42.; Chron. Ser.
[6] Dugdale's Chron. Ser.
[7] Excerpt. e Rot. Fin. i. 260—303.

1246, was appointed with five others to visit the northern counties.[1] From 15 John to 43 Henry III. there are four persons so named on the rolls, all in different counties, and with different wives.[2]

FITZ-WILLIAM, ROBERT.

JUST. ITIN. 1225.

ROBERT FITZ-WILLIAM was a knight of Nottinghamshire, who, having got into trouble in 17 John, when he was taken in arms against the king in the castle of Beauveer (Belvoir), was compelled to pay a fine of sixty marks for the restoration of the royal favour.[3] In 9 Henry III. his name appears among the justices itinerant in Nottingham and Derby.[4] In the following year the Sheriff of Cumberland is commanded to cause a successor to be elected in the place of Robert Fitz-William, one of the coroners of that county; and there is every probability that this was the same person, as in 11 Henry III. Ralph Fitz-Nichol paid 100*l.* for the custody of his lands and heirs, the Sheriff of Nottingham and Derby being commanded to give him seisin of those which were in his bailiwick.[5]

FOLIOT, HUGH, ABBOT OF RAMSEY, ? ARCHDEACON OF SALOP, and BISHOP OF HEREFORD.

JUST. 1219.

DUGDALE inserts among the justiciers before whom fines were acknowledged at Westminster in three weeks of Trinity,

[1] Dugdale's Chron. Series.
[2] Rot. de Oblatis, 471.; Excerpt. e Rot. Fin. i. 132., ii. 36. 293.
[3] Rot. Pat. 162. 168.; Rot. de Finibus, 591.
[4] Rot. Claus. ii. 77.
[5] Ibid. 119.; Excerpt e Rot. Fin. i. 157.

3 Henry III., 1219, the name of H. Abbot of Ramsey, whom he also notices as a justice itinerant in the same year.[1] This was Hugh Foliot, who, from being prior, was elected Abbot of Ramsey in June, 1216.[2] It seems probable that he is the same man who is called Archdeacon of Salop in a record dated January 16, 1215, being a pressing application by the king to the Bishop of Hereford relative to the church of St. David's in his behalf, in which he is designated as a man "magnæ honestatis et scientia et moribus bene ornatum."[3] The archdeacon was raised to the bishoprick of Hereford in 1219, and was consecrated in November of that year; his feast being supplied with five bucks and two hogs out of the forest of Dene by the king's order.[4] This elevation to the bench would account for his no longer acting as a justicier; but the doubt whether the abbot and the bishop were identical arises from the discrepancy between the dates given of their deaths: the abbot being stated to have died in 1231, and the bishop on July 26, 1234.[5]

FOLIOT, WALTER.

JUST. ITIN. 1218.

WALTER FOLIOT was settled in Berkshire at the beginning of the reign of King John[6], on whom he was evidently afterwards in personal attendance, accompanying him to Ireland in the twelfth and fourteenth years of his reign.[7] In 16 John he was summoned to attend with horses and arms at the castle of Wallingford, in which, by the king's order, the chamber appropriated for the royal wardrobe was

[1] Dugdale's Chron. Ser.
[2] Browne Willis's Mitred Abbeys, 154.
[3] Rot. Claus. 16 John, i. 203.
[4] Ibid. 4 Henry III. i., 401. 406.
[5] Browne Willis, ut suprà; Godwin de Præsul. 484.
[6] Rot. de Oblatis, 1 John, 66.; Rot. Cancell. 3 John, 268. 276.
[7] Rot. Misæ, 178., &c., and Cole's Documents, 341.

assigned for the accommodation of him and his wife and family. Several other entries show that he was either the governor of that castle, or held some other high office in connection with it, and with the county of Berks.[1] He received grants from King John of lands both in that county and in Oxfordshire.[2] In 3 Henry III. his name appears as one of the justices itinerant into Wiltshire, Hampshire, Berkshire, and Oxfordshire[3], and he executed the office of sheriff of the latter county for part of the 9 & 10 Henry III., which on the 31st December of the latter year he was ordered to deliver up to Godfrey de Craucombe.[4]

He died about June, 1228, 12 Henry III., and was succeeded by his son Richard[5], who survived him only till November, 1244, leaving a daughter Matilda, upon whose death about the following July the line of his descendants terminated.[6]

FRANCHEVILL, WILLIAM DE.

JUST. ITIN. 1225.

WILLIAM DE FRANCHEVILL was lord of the manor of Garboldesham, in Norfolk, of which his father, also named William, had a grant from Hugh de Montfort. From 8 to 11 Henry III., several mandates are addressed to him and other gentlemen of the county to take assizes as to lands claimed by the church, and as to the right of presentation. In 9 Henry III. he was selected as one of the justices itinerant for Norfolk and Suffolk, but does not appear to have afterwards acted in that capacity.[7] He left a son William, whose

[1] Rot. Pat. 132. 177. 185.; Rot. Claus. i. 195. 277. 306.
[2] Rot. Claus. i. 242. 244. 253. 286.
[3] Dugdale's Chron. Ser.
[4] Rot. Claus. ii. 92.
[5] Excerpt. e Rot. Fin. i. 172.
[6] Ibid. 426. 439—443.
[7] Rot. Claus. i. 592., ii. 77. 83. 157.

descendant before the end of the century alienated the manor to Robert de Cantilupe.[1]

FRAUNCEYS, JOHN LE.

B. E. 1243. ? Just. 1254.

John le Fraunceys, or Francigena, as he is sometimes called, was the son of Hugh le Fraunceys. He was a servant of the crown, and acted in the first instance as an escheator, or under special appointment from the Exchequer, in the north of England. The earliest record in which his name is mentioned is in 25 Henry III., 1241, when he was assigned with the Sheriff of Cumberland to extend the lands of John de Veteri Ponte, deceased. Some other similar entries occur in 29 and 31 Henry III.[2] In 27 Henry III., Robert de Veteri Ponte gave him the manor of Meburn, in Cumberland; and he held the church of Caldebec in that county.[3]

He is introduced by Madox among the barons who attended in the Exchequer in 27 Henry III., 1243[4], and from that time his attestation appears to various mandates from that court.[5] It is probable that, for some short time, he was one of the regular justices, as assizes were ordered to be taken before him in Cumberland and Norfolk, in July 1254, and July 1255, 38 and 39 Henry III.[6]; but he is distinctly described as a baron of the Exchequer in 42 Henry III., when he complained to the king that Ralph Fitz-Ralph, under whom he held lands, took thirty shillings for his aid on marrying the king's eldest daughter for one knight's fee, while the king took only twenty shillings.[7]

[1] Blomefield's Norfolk, i. 170.
[2] Excerpt. e Rot. Fin. i. 349. 427., ii. 7.
[3] Abbrev. Placit. 120. 169.
[4] Madox's Exch. ii. 318.
[5] Ibid. i. 349. 353. 393. 677., ii. 13.
[6] Excerpt. e Rot. Fin. ii. 192. 211.
[7] Madox's Exch. i. 615.

He died in 52 Henry III., when his executors undertaking to pay his debts to the crown, were allowed to have administration of his property, which lay in the six counties of Lincoln, Bedford, York, Kent, Westmoreland, and Cumberland.[1]

He had a son named John, who was a clerk or master in Chancery, and will be mentioned under Edward II.[2]

FULCON, ROBERT.

JUST. 1267.

See under the Reign of Edward I.

FURNELLIS, SIMON DE.

JUST. ITIN. 1234.

SIMON DE FURNELLIS stands the fourth among the justices itinerant for Essex and Hertford appointed by the commission dated August 1, 1234, 18 Henry III.[3]: but his name does not again occur in the same character. He probably was a connection of the three persons of the same name who have been already noticed in the reigns of Henry II. and John; and, like them, held some office connected with the courts.

GANT, MAURICE DE.

JUST. ITIN. 1227.

MAURICE DE GANT was the son of Robert de Berkeley (the third son of Robert Fitz-Harding), by Alice, the daughter of Robert de Gant and Alice Paganell his wife. He was a minor at his father's death in 6 Richard I., and was placed under the wardship of William de St. Mariæ

[1] Madox's Exch. ii. 186.
[2] Excerpt. e Rot. Fin. ii. *552.*; Rot. Claus. 3 Edward II., m. 6.
[3] Dugdale's Chron Series.

Ecclesia, subsequently Bishop of London. He attained his majority about 9 John, and soon afterwards assumed his mother's name, inheriting the large possessions she derived from her mother. In 15 John he had the king's licence to marry Matilda, the only child of Henry D'Oilly, baron of Hooknorton, in Oxfordshire; in consideration for which he was to serve the king wherever he pleased with twenty knights.[1]

He was one of the principal instigators of the contest between the king and the discontented barons; and thereupon suffered excommunication and lost all his lands, which were distributed among the royal followers, the greater part being given to Philip de Albini.[2] On the accession of Henry III. he continued to adhere to Prince Lewis of France, and was taken prisoner at the battle called the Fair of Lincoln, on May 20, 1217, by Ranulph, Earl of Chester, in whose custody he remained for a year, and ransomed himself by the cession of two of his capital manors, those of Leeds and Bingley, in Yorkshire. After the treaty with Prince Lewis, he was allowed to make his peace; and in the latter part of the second year of Henry's reign his lands were restored to him; and he obtained a grant of a market for his manor of Were, in Somersetshire.[3]

His loyalty was thenceforward steadfast and active. In 9 Henry III. he assisted William, the earl marshal, in fortifying a castle in Wales; and in consequence of being so engaged, a suit against him, which was to have been heard before the justices itinerant, was removed before the judges at Westminster.[4] Although he had fortified his castle of Beverston, in Gloucestershire, without the necessary royal licence, yet, on a conference with the king in

[1] Rot. de Finibus, 469.
[2] Rot. Pat. 162—198.; Rot. Claus. i. 232. 238. 246., &c.
[3] Ibid. i. 368. 376. [4] Ibid. ii. 59. 79.

11 Henry III., he gave such satisfactory explanations and submitted himself so unreservedly, that he obtained the royal confirmation of his act.[1] And in August of the same year, 1227, he was nominated one of the justices itinerant for Staffordshire, Shropshire, Devonshire, Hampshire, and Berkshire.[2]

On April 30, 1230, 14 Henry III., he embarked with King Henry on his expedition into France; during which, in the following August, he died[3], with several other nobles in the royal army.

After the death of his first wife, Matilda, in the early part of Henry's reign, he married Margaret, the widow of Ralph de Sumeri, who survived him: but he left no issue by either. Having given his manors of Weston, Beverston, and Albricton to the king, who thereupon had regranted them to him in fee, he devised them to Robert de Gurnay, the son of his half-sister Eva, wife of Thomas de Harpetre. This Robert did homage on the 6th of November following for the lands in Somersetshire, to which he succeeded on his uncle's death[4]; and in the ensuing April[5], Andrew Lutterell, as a descendant from the Paganells, claimed and was admitted to other lands in Lincolnshire.[6]

GATESDEN, JOHN DE.

? JUST. 1250.

DUGDALE says that John de Gatesden was a canon of St. Paul's[7]: but if so, civilians must have held those appoint-

[1] Rot. Claus. ii. 180.
[2] Ibid. ii. 213.
[3] Excerpt. e Rot. Fin. i. 201.
[4] Ibid. i. 205. 207.
[5] Ibid. i. 212.
[6] Dugdale's Baronage, i. 402.; Brydges' Collins' Peerage, iii. 593.; Proceedings of Archæol. Inst. York, Holy Trin. Priory, 59—90.
[7] Dugdale's Orig. Jurid. 21.

ments, inasmuch as he had a wife and children. He was possessed of property in Norton and Bradford, in Somersetshire; and before he is named as a justicier had several grants of wardships from the king.[1] He held the office of Sheriff of Surrey and Sussex in 20 Henry III. and the three following years, and was permitted in one of them to account at the Exchequer by attorney.[2]

He is inserted in Dugdale's list of justiciers of the Common Pleas in 34 Henry III., 1250, on account of a fine having been acknowledged before him in Hilary Term of that year[3]: but as none appear of any subsequent date, and his name is only once mentioned as a justice itinerant into Lincolnshire in the same year, this fine may have been taken on his circuit. He is, however, mentioned as a justicier in an entry of 38 Henry III. relative to certain "heccagiis" in Sussex, held by himself and some other persons.[4]

He and the Bishop of Ely were sent as ambassadors to Spain on the king's affairs in 40 Henry III.[5], on which occasion he was pardoned a debt of fifty marks due to a hanged Jew, which he had undertaken to pay.[6] His death did not occur till just before April 11, 1262, 46 Henry III., when his land was, as usual on that event, seized into the king's hands for safe custody, and to secure the homage and fine of the heir. The entries on the subject show that he had large property both in Sussex and Somersetshire. To his wife Hawise the manor of Bradeford, in the latter county, was committed in tenancy till her dower was assigned. He had a son named John, who died in his lifetime, leaving a widow; and at the date of his own death, Margaret, his

[1] Excerpt. e Rot. Fin. i. 305. 331., ii. 72. 377.
[2] Fuller's Worthies; Madox's Exch. ii. 177.
[3] Dugdale's Chron. Series.
[4] Abbrev. Placit. 137.
[5] Rymer's Fœd. i. 343.
[6] Excerpt. e Rot. Fin. ii. 234.

daughter, or grand-daughter, and heir, was a minor. She married John de Camoys.[1]

GEOFFREY THE TEMPLAR.

? KEEPER, 1238.

WHEN King Henry, in August, 1238, angrily took the seal away from Ralph de Neville, Bishop of Chichester, on his being elected to the see of Winchester, Matthew Paris states that he gave it into the custody of Brother Geoffrey the Templar, and of John de Lexinton: but they do not seem to have held it long, as it was soon after in the possession of Simon the Norman.[2] There is very little information as to Geoffrey: he is stated by Philipot to have had the seal taken from him, because he grew in dislike with the nobility by continually provoking them to anger.[3] A Brother Geoffrey of the Temple was sent by King John, in 1205, with Brother William, the Hospitaller, on a mission beyond sea[4]; and in 1206 Brothers Geoffrey and Robert de London, the king's clerks, had a quittance for certain valuables belonging to Hubert, late Archbishop of Canterbury, which the king had committed to the master and brothers of the Temple.[5] Again, in March, 1216, Brother Geoffrey is sent to Peter de Maulay for certain monies belonging to the king[6]: but the distance of time between these dates and the year 1238 renders the identification somewhat doubtful.

GERNUM, RALPH.

JUST. ITIN. 1219.

THERE is no other evidence that Ralph Gernum (Gernon) acted as a judge than that he was one of those before whom

[1] Excerpt. e Rot. Fin. ii. 316. 326. 370. 377. 384.; Abbrev. Placit. 187. 334.
[2] Dugdale's Chron. Series.
[3] Philipot's Catal. 17.
[4] Rot. Claus. 6 John, i. 27.
[5] Rot. Pat. 7 John, 58.
[6] Ibid. 17 John, 170.

a fine was levied at Westminster in 3 Henry III., in which he and his associates are described as justices itinerant.[1]

He was descended from Robert de Gernon, a Norman, who, for the assistance he gave to William the Conqueror, received various lordships in Hertfordshire. His father Ralph was great-grandson of this Robert, and his mother was a sister of William de Breuse.[2] During John's reign he was actively employed in the king's service, was at one time one of his marshals[3], and was a firm adherent to him in his troubles. Several valuable grants of land rewarded his loyalty, besides other marks of favour and confidence.

Under King Henry also various duties were confided to him. In the fourth year of that reign he was twice sent over to Poictou, and the last time to accompany the king's sister, Joanna, to England.[4] In 5 Henry III. he was appointed constable of the castle of Corfe, which he held for many years, receiving at first a salary of sixty marks per annum, which was afterwards increased to one hundred.[5] In 7 & 8 Henry III. he was sheriff of the county of Dorset; and in the following year he was, in the first instance, appointed one of the justices itinerant for that county; but afterwards, for some reason not stated, another was substituted in his place.[6] He lived to a good old age, not dying till 1247, in November of which year his son William fined fifty marks for his relief on taking possession of the property.[7]

This William had two sons, from one of whom, Geoffrey, descended Chief Justice Sir John Cavendish, a name assumed from a lordship so called in Suffolk: but whether he acquired this manor in right of his mother or his wife is somewhat uncertain.

[1] Dugdale's Chron. Ser.
[2] Brydges' Collins' Peerage, i. 302.
[3] Rot. Claus. 8 John, i. 77.
[4] Ibid. i. 418. 432. 458.
[5] Ibid. 460, 508. 586.
[6] Ibid. i. 557., ii. 76.
[7] Excerpt. e Rot. Fin. 32 Henry III., ii. 23.

GESTLING, JOHN DE.

JUST. 1217.

See under the Reigns of Richard I. and John.

JOHN DE GESTLING is first named as a justicier in 9 Rich. I., 1198, and there is evidence of his acting regularly in that capacity during the first ten years of John's reign, and in part of that of Henry III. The last fine that is mentioned as having been levied before him was in Hilary Term, 1220, 4 Henry III.; and in the previous year he was one of the justices itinerant in the home counties.[1] In 2 Henry III., he and three other justiciers had an allowance of one hundred shillings each, "ad se sustentandum" in the king's service; and in a few months afterwards he received an additional grant of 6*l.*[2] His death occurred previously to July 29, 1223, 7 Henry III., that being the date of a record which proves that there were two claimants to the guardianship of his heir, viz. the Archbishop of Canterbury and Peter de Scotney.[3]

He had property at Winchelsea, where he obtained in 10 John the grant of a market[4], which in 17 John was removed from his land, without the town, to the space before the church of St. Thomas, within it.[5] This withdrawal of a privilege might arise from his having taken the barons' part against the king; and there was certainly a John de Gestling who did so, and who came in and swore fealty to Henry III. on November 4, 1217, whereupon the Sheriffs of London and Lancaster were ordered to give him seisin of his lands.[6] If these were his, he speedily regained his judicial position; for in the same year and the two following, fines were levied before him as a justice in the king's court.

[1] Fines of Richard I. and John; Dugdale's Orig. Jurid. 41.
[2] Rot. Claus. i. 365. 382.
[3] Ibid. i. 556.
[4] Rot. Chart. 185.
[5] Rot. Claus. i. 237.
[6] Ibid. 341.

GIBBEWIN, GEOFFREY.

? Just. 1219.

Madox gives, from the Archives of Westminster Abbey, the copy of a fine taken in the king's court at Westminster on the morrow of St. John the Baptist, 3 Henry III., before four justiciers, the last named of whom is Geoffrey Gibbewin[1]: but he is not mentioned in any other record as occupying a place on the bench. He had land at Bixe, in Oxfordshire, the corn of which he gave to the monks of Thame[2]; and there is a hamlet near Henley, in that county, still called Bix Gibwen. In 15 John there was a contest between him and John de Monte-acuto relative to the presentation to the church of Merse, in Buckinghamshire, the advowson of which he claimed to inherit from Ralph Gibbewin, his father; and after his death, Robert de Insula and Robert Fitz-Brian, who are described as his heirs, had a suit with the Abbot of Oseney relative to land in that parish.[3]

GIFFARD, GODFREY, Archdeacon of Barnstaple, Bishop of Worcester.

Chancellor, 1266.

See under the Reign of Edward I.

GIFFARD, HUGH.

? Just. 1238.

The parentage of Hugh Giffard has not been traced; but that he was of noble connection appears from the fact that William, Earl of Salisbury, Hugh de Mortuo Mari, and Walter de Clifford, became his pledges in 1 Henry III.,

[1] Madox's Exch. ii. 43. n.
[2] Rot. Claus. 9 Henry III., ii. 62.
[3] Abbrev. Placit. 91.; Excerpt. e Rot. Fin. 20 Henry III., i. 306.

March 18, 1217, that he would satisfy the king for a transgression which he had presumed to commit. From the rest of the record it may be collected that this offence was his marriage, without the royal licence, with Sibilla, the daughter of Walter de Cormaill.[1] This lady was sister to Alicia de Craucombe, on whose death, in 23 Henry III., 1239, Sibilla was one of the heirs to her property in Herefordshire, for which her husband then did homage, and was excused his relief, or fine, on admission.[2] In 20 Henry III., Hugh Giffard was made constable of the Tower of London[3]; and at Midsummer, 22 Henry III., 1238, a fine was levied before him as a justicier.[4] As his name does not afterwards occur, except when he did homage as above for Alicia de Craucombe's land, it is probable that he was not a regular justicier, but only sat as constable of the Tower, and that he did not long survive.

Of his widow, however, it appears, that in 41 Henry III., 1256, the king gave her and her son, Master Walter Giffard, permission to live in the castle of Oxford during pleasure[5]; and by a pedigree in Dugdale's Baronage, under the title "Cormeilles," it seems that she had another son, named Geoffrey.[6] Master Walter Giffard is the undermentioned Bishop of Bath and Wells, and Archbishop of York.

[1] Rot. Claus. i. 301.
[2] Excerpt. e Rot. Fin. i. 329.
[3] Dugdale's Baronage, i. 502.
[4] Dugdale's Chron. Series.
[5] Excerpt. e Rot. Fin. ii. 243.
[6] Dugdale's Baronage, i. 424. Dugdale (p. 502.) erroneously gives Hugh another wife by misreading the Roll *Alexander* de Craucombe, instead of *Alicia* de Craucombe, whom it states to be Sibilla's sister. The same document also mentions three other heirs; John de Brun, Alicia's nephew, and Robert le Archer and Simon de Solariis, who married two of Alicia's nieces: and Dugdale, in his pedigree of Cormeilles, notices two daughters of Walter, besides Sibilla; viz. Margaret, the mother of these two nieces with their husbands, and Albreda, mother to John le Brun, the nephew; but he has entirely omitted Alicia, who married . . . . de Craucombe.

GIFFARD, WALTER, Bishop of Bath and Wells, afterwards Archbishop of York.

Chancellor, 1265.

This prelate was the son of the last-mentioned Hugh Giffard, and of Sibilla de Cormaill. The first notice of his name occurs in a permission from King Henry III., on November 3, 1256, to "Sibille Giffard, and her son, Master Walter Giffard," to lodge in the castle of Oxford, and to use the mills below it.[1] He afterwards became a canon of Wells, and a chaplain to the pope; and on May 22, 1264, was elected Bishop of Bath and Wells.

After the battle of Evesham, which was fought on the 4th of August, 1265, he was appointed chancellor in the room of Thomas de Cantilupe, who had been nominated by the barons; and on August 10 an allowance of five hundred marks is made to him for the support of the office.[2] In April, 1266, he was one of the witnesses to two charters granted by Richard, King of the Romans, to Burnham Priory, in Yorkshire, and Burnham Abbey, in Bucks; in the former of which the title "Cancell. Angl." is added to his name; being the first time that designation is used.[3] He was translated to the archbishoprick of York on October 18, 1266; soon after which he is believed to have resigned the great seal; but the actual date of his retirement nowhere appears. He still continued a member of the king's council; and in 54 Henry III. was sheriff of the counties of Nottingham and Derby, an office which he filled from that time till 1 Edward I.[4]

On the accession of Edward I. he was selected as one of the

[1] Excerpt. e Rot. Fin. 41 Henry III., ii. 243.
[2] Rot. Pat. 49 Henry III., m. 10.
[3] Dugdale's Monast. iv. 279., vi. 546.
[4] Madox's Exch. ii. 170. 180.; Fuller's Worthies, Derbyshire.

regents of the kingdom during the king's absence; and was made constable of the Tower of London, and according to Philipot was also treasurer. Various dates are assigned for his death, but the most probable seems to be the 25th of April, 1278. He was buried in York Cathedral.[1]

GLANVILLE, BARTHOLOMEW DE.

? JUST. ITIN. 1225.

ALTHOUGH Dugdale in his Chronica Series inserts Bartholomew de Glanville as one of the justices itinerant for Norfolk and Suffolk in 9 Henry III., the record in which his name was at first introduced is altered by substituting that of William de Ambly.[2] No other mention occurs in reference to him.

GRANCURT, WILLIAM DE.

B. E. 1268.

WILLIAM DE GRANCURT is noticed both by Dugdale and Madox as a baron of the Exchequer in 52 Henry III., 1268[3]; but no trace of his continuance in office, or of his personal history, has been ascertained.

GRANDEN, WARIN DE.

JUST. ITIN. 1220.

THAT Warin de Granden was one of the four justiciers appointed in 4 Henry III., 1220, to deliver the gaols of Hereford, appears by an entry on the close rolls of that year[4]; but

[1] Godwin de Præsul. 373. 682.; Le Neve, 32. 308.
[2] Dugdale's Chron. Series; Rot. Claus. ii. 77.
[3] Dugdale's Chron. Series; Madox's Exch. i. 356., ii. 320.
[4] Rot. Claus. i. 437.

neither on those nor on any other rolls of the period does his name otherwise occur.

GREINVILL, ADAM DE.

Just. Itin. 1261. Just. 1266.

Genealogists have not been able to discover the connection of Adam de Greinvill with the family flourishing at the same period, from which the Duke of Buckingham derives his descent.

In 35 Henry III. he paid a fine of forty marks for a grant of the bailiffwick of the forest of Sellwood, in Wiltshire.[1] After this he was appointed justice of the Jews, and is mentioned in that character in 42 and 44 Henry III.[2] In the three following years, 1261–3, he appears as a justice itinerant in several commissions, in all of which he is placed at the bottom of the list. For the next two years his name does not occur, but in 50 Henry III., 1266, Dugdale inserts him among the justices of the Common Pleas, on the authority of a liberate of that date.[3] From February in that year till October, 1272, 56 Henry III., a month before the king's death, there are continual entries of payments made for assizes to be taken before him; and both in 55 and 56 Henry III. he visited several counties as a justice itinerant.[4] It does not appear that he continued on the bench in the following reign.

GREY, JOHN DE.

Just. Itin. 1260.

John de Grey was the nephew of Walter de Grey, Archbishop of York, being second son of his eldest brother,

[1] Excerpt. e Rot. Fin. ii. 106. [2] Ibid. 318.; Madox's Exch. ii. 319.
[3] Dugdale's Chron. Series.
[4] Excerpt. e Rot. Fin. ii. 435—586.; Dugdale's Chron. Series.

Henry, lineal descendant from Anchitel de Grey, the founder of the family at the time of the Norman Conquest. His mother was Isolda, the eldest of the five nieces and coheirs of Robert Bardolf. He was Sheriff of Buckinghamshire and Bedfordshire during part of 23 Henry III., and had his seat at Eaton, near Fenny Stratford, in the former county. In 30 Henry III. he was made constable of the castle of Gannoc, in North Wales, and was also justice of Chester.[1] He offended the king in 35 Henry III., by marrying without his licence Johanna, the widow of Pauline Peyvre, who had been devoted to another person, and he was fined five hundred marks for his transgression[2]; but shortly afterwards he is stated to have greatly ingratiated himself with Henry by assuming the Cross. The fine roll of 37 Henry III., 1253, contains an evidence of the favour he thus obtained, in the grant of a pardon of 300*l.* of the above fine and other debts which he owed to the crown.[3]

From this time he was placed in numerous offices of responsibility and trust. He was made steward of Gascony, custos of the castles of Northampton, Shrewsbury, Dover, and Hereford, and sheriff of the latter county. In 44 Henry III., 1260, he was among the justices itinerant sent into the counties of Somerset, Dorset, and Devon.[4] When Henry submitted the determination of the differences between him and his barons to the decision of Louis, King of France, he was one of the barons who undertook that he should abide by it; and during the war which followed he firmly adhered to his sovereign. After the battle of Evesham, in 49 Henry III., 1265, he was made sheriff of the counties of Nottingham and Derby, and died in the following year.

Before his union with Johanna Peyvre, he had married Emma, daughter and heir of Geoffrey de Glanville, by

[1] Excerpt. e Rot. Fin. i. 453.
[2] Ibid. ii. 119.
[3] Ibid. ii. 167.
[4] Dugdale's Chron. Series.

whom he had a daughter, married to Robert de Tatshall, and an only son, Reginald, who became justice of Chester, and was summoned to parliament by the next two kings. Reginald, having acquired Wilton Castle, in Herefordshire, by marriage, his descendants were called by that title, which they enjoyed in uninterrupted succession till Thomas Grey, the sixteenth baron, was attainted in 1604, and his honours forfeited. Sir Thomas Egerton, Bart., a lineal descendant of his eldest sister, however, was created Lord Grey de Wilton on May 15, 1784, and in 1801 was advanced to the viscounty of Grey de Wilton and the earldom of Wilton, with remainder to his daughter's second son, Thomas Grosvenor, the present earl.

The grandson of Reginald, son of this John, was summoned to parliament in 1324, as Lord Grey de Ruthyn, a castle in Denbighshire granted to Reginald by Edward I. His descendant, Edmund, the fourth baron, was created Earl of Kent in 1465, and the two titles were united in the same person till 1639, when, on the death of Henry, the eighth earl, without issue, the barony devolved on his sister Susan, the wife of Sir Charles Longueville, whose descendant is the present Baroness Grey de Ruthyn. The title of Viscount Longueville was added in 1690, and that of Earl of Sussex in 1717; but both these became extinct in 1799, for want of male heirs. The earldom of Kent fell to the descendant of the second earl, the wife of whose grandson was created Baroness Lucas. Their son Henry had several new titles; being created Viscount Goodrich, Earl of Harold, and Marquess of Kent in 1706; Duke of Kent in 1710 (all of which became extinct at his death); and Marquess de Grey in 1740, with a special remainder to his granddaughter, Jemima Campbell, wife of Philip Yorke, afterwards Earl of Hardwicke, in whom that also failed on her death, in 1797, without male issue. Her daughter succeeded to the

barony of Lucas, and was created Countess de Grey of Wrest in 1816. The present earl is her nephew.[1]

GRIMBALD, PETER.

B. E. 1241.

IN Madox's List of the Barons of the Exchequer, he inserts Peter Grimbald, with a reference to a writ tested in 25 Henry III., 1241, by P. Grimb[ald].[2] I at first thought it might be the same as the under-named Robert Grimbald, the initial of the Christian name having accidentally had the foot of it erased: but I find a mandate on the close roll of 11 Henry III., 1226, addressed to Magister Philip de Ardern and P. Grimbald, relative to certain business entrusted to them to transact in the bishoprick of Durham[3]; a duty which was far more likely to devolve on one connected with the Exchequer, than on a country gentleman in a distant county. I have, however, discovered nothing further concerning him.

GRIMBALD, ROBERT.

JUST. ITIN. 1234.

THIS Robert Grimbald is no doubt a descendant of the benefactor of the priory of Osulveston, in Leicestershire, mentioned in the reign of Henry II. as one of the justiciers inserted in Dugdale's Series. He, as well as the other, was certainly resident in Northamptonshire, and in 9 Henry III. was appointed to conduct the quinzime of that county to Oxford.[4] In the commission for justices itinerant dated

[1] Dugdale's Baronage, i. 712. 716.; Nicolas's Synopsis; Burke's Peerage.
[2] Madox's Exch. ii. 318.
[3] Rot. Claus. ii. 207.
[4] Ibid. ii. 74.

August 1, 1234, 18 Henry III., he stood third of those nominated for Rutland[1]; as having, it may be presumed, property in that county. Indeed, in 17 John, when he not improbably joined the standard of the barons against the royal authority, the constable of Beauveer was ordered to give John de Cunde possession of his land in Wydon and Tykincot.[2]

HADLOW, or HANDLO, NICHOLAS DE.

Just. 1254.

The manor of Court-at-Street, in Kent, belonged to this family in the reign of Henry I. Nicholas de Handlow had his scutage in that county respited in 27 Henry III., 1243; and in 41 Henry III. obtained a charter of free warren over his demesnes in Kent, with a market and fair for this manor.[3] No account of his early life exists, but it was doubtless devoted to the profession of the law. He was raised to the bench about November, 1254, 39 Henry III.; and though his name appears on no other fines than those of that date, there are entries of payments for writs of assize to be taken before him, extending from that year to September, 1266, 50 Henry III. He acted also as a justice itinerant in 39, 40, and 45 Henry III.; and in 42 Henry III. he was one of the three who were assigned "ad tenendum Bancum Regis apud Westm.," until the king arranged more fully for that court.[4] In 43 Henry III. he was the custos of the see of Winchester.[5]

He died in 1270, 54 Henry III., and his son John did

[1] Dugdale's Chron. Series.
[2] Rot. Claus. i. 246.
[3] Hasted's Kent; Excerpt. e Rot. Fin. i. 394.
[4] Dugdale's Orig. Jurid. 43., and Chron. Series; Excerpt. e Rot. Fin. ii. 211—446.
[5] Madox's Exch. ii. 3.

homage for his lands on July 10 in that year.[1] One of his descendants was summoned once to parliament in 16 Edward III., but dying without issue, the property devolved on his two sisters, who left no children.[2]

HALE, SIMON DE.

JUST. ITIN. 1225.

SIMON DE HALE'S principal estate was situate in Yorkshire; but about 2 Henry III. he became possessed of some property at Barton, in Northamptonshire, as one of the heirs of John de Buketon, and had a grant of twelve oaks from the king's forest at Gately for his mansion there.[3] He held the office of Sheriff of Yorkshire for several of the first eight years of that reign.[4] The satisfaction which he gave in performing his onerous duties there, was no doubt the reason why he was called upon, in 9 Henry III., to act at the head of the justices itinerant appointed, under five separate commissions, to Essex and Hertford, Cambridge and Huntingdon, Bedford and Bucks, Norfolk and Suffolk, and Northampton and Rutland. A special grant of twenty marks was made to him for his expenses on this iter.[5] In 11 Hen. III. he was joined with Martin de Pateshull in acting in Yorkshire, for which he had an allowance of twenty-five marks; and in May and September of the same year he was one of the justices itinerant into Hampshire and Cumberland.[6] Although there is no satisfactory evidence of his being a justicier of the courts at Westminster, it is manifest, from his being placed at the head of the lists, that he was something

[1] Excerpt. e Rot. Fin. ii. 516.
[2] Nicolas's Synopsis of the Peerage; Hasted.
[3] Excerpt. e Rot. Fin. i. 8.; Rot. Claus. ii. 20.
[4] Rot. Claus. i. 450. 630., ii. 90.
[5] Ibid. ii. 45. 77.
[6] Ibid. ii. 187. 206. 213.

more than an ordinary justice itinerant, and that he was not selected, as most of those at this time usually were, from among the barons and knights of the counties in which they acted, as associates, with one or two of the professional judges.

In 10 Henry III. he was appointed Sheriff of Wiltshire; and his people in Yorkshire were exempted from the rates of the county and hundred during his absence. No mention is made of him after 11 Henry III., when he was employed to assess the tallage in Yorkshire and Cumberland[1], until 24 Henry III., 1240; about midsummer in which year he again appears as one of the justices itinerant before whom a fine was levied at York.[2]

HANDLO, NICHOLAS DE. *See* HADLOW.

HARENG, RALPH.

JUST. 1216.

See under the Reign of John.

MR. HUNTER, in his list of justiciers before whom fines were levied, inserts Ralph Hareng in 2 John. This date, however, should be omitted, as he has subsequently discovered that the fine, on the authority of which the name was introduced, a very much damaged one, really belongs to 2 Henry III. His second volume contains a fine levied before Ralph Hareng at Carlisle in 10 John; which tallies with the date given by Dugdale in his Chronica Series, who also notices other fines in which his name appears from 2 to 8 Henry III.[3]

In 1 John there is an entry of a convention between him

[1] Rot. Claus. ii. 104. 122. 180. 209.
[2] Fines of Richard I. and John; Dugdale's Orig. Jurid. 42.
[3] Dugdale's Chron. Series.

and William de Webi, relative to the manors of Webi and Clanefield, in the counties of Oxford and Buckingham.[1] He is mentioned as seneschall or steward of Thomas de St. Valerico in 8 John[2]; and that he was then advancing in the king's favour appears by the committal to his custody of the two churches of Cesteskton and Mixebir, of which his son, Jordan, had been deprived on account of the interdict[3]: and in less than two years we have seen he was employed in a judicial capacity. In 17 John he was appointed sheriff of the united counties of Buckingham and Bedford; and in the following year he was specially employed by the king, and the constables of the castles of Wallingford, Oxford, and Windsor were commanded to give him safe conduct on his mission.[4]

In the first year of the next reign, the land of Nicholas de Verdun, in Lavington, was committed to his charge; and from that time there are frequent entries of his judicial employment, and of marks of royal bounty accorded to him. Such are the grants of a dolium of wine, of two bucks and ten does, from Witlewud, for his park at Westbury, and twenty-four cheverons from the same wood, for rebuilding his chapel at Thorp.[5] There are likewise various payments recorded "ad se sustentandum in servicio nostro," and "ad expensas suas acquietandas:" in 2 Henry III., a hundred shillings on January 25, and a hundred shillings on July 9; in 3 Henry III., 6*l.* on November 8; in 4 & 5 Henry III. the same as in the second year; and in 6 Henry III. one hundred marks.[6]

He died shortly before 14 Henry III., 1230, as in that year his son, also named Ralph, obtained a licence from the

[1] Abbrev. Placit. 25.
[2] Rot. Claus. i. 82.
[3] Ibid. 114.
[4] Rot. Pat. 146. 192.
[5] Rot. Claus. i. 294. 363. 519, 520.
[6] Ibid. i. 350. 365. 381. 411. 422. 444. 489.

king that the park at Westbury, which his father had been permitted to make, might remain a park for ever to him and his heirs.[1]

HAUNSARD, WILLIAM DE.

Just. Itin. 1225.

Nothing is recorded of William de Haunsard, except that he was one of the justices itinerant appointed for Surrey in 9 Henry III., 1225; and that in the two following years he assessed the quinzime and the tallage in that county.[2]

HAYA, ROBERT DE.

Just. Itin. 1240.

Whether this Robert de Haya was of the noble Scotch family of that name, and the progenitor of the Marquess of Tweeddale, does not appear. He was, however, of the same name, and flourished at the same time. In 7 John he commanded the king's gallies "in Insulis," and had a protection from molestation and all legal proceedings while in that service.[3] In 24 Henry III., 1240, he was one of the justices itinerant before whom a fine was levied at York[4]; and being then Sheriff of Bedfordshire and Buckinghamshire, he had permission, as long as he was on that iter, to pass his accounts at the Exchequer by means of a substitute.[5]

HELYUN, WALTER DE.

Just. 1269.

See under the Reign of Edward I.

[1] Excerpt. e Rot. Fin. i. 194.
[2] Rot. Claus. ii. 76. 146. 208.
[3] Rot. Pat. 7 John, 63.
[4] Dugdale's Chron. Series.
[5] Madox's Exch. ii. 177.

HEMINGTON, RICHARD DE.

JUST. ITIN. 1262. JUST. 1265.

RICHARD DE HEMINGTON was professionally engaged in the courts; and in 35 Henry III., 1251, he is recorded as appearing before the king at Windsor on the part of John de Bailiol and his wife, Derfouguil, to pray for a replevin of their lands, which had been seized into the king's hands for some default.[1]

He evidently acted as steward to John de Bailiol, who afterwards, in 52 Henry III., proceeded against him for delivering up his castle of Fotheringay to Baldwin Wake, the king's enemy and his, without his assent, to his damage of two hundred marks and upwards.[2]

He performed the duties of a justice itinerant in 46 & 47 Henry III., 1262–3, and as one of the custodes of the property of Roger de Quency in the following year. Although he is not noticed as a regular justicier by Dugdale, the fine roll proves that he was so; as it contains entries of payments for writs of assize to be held before him, commencing in March, 1265, 49 Henry III., and continuing till October, 1270, 54 Henry III., in which year the records of the court also contain his name.[3]

HENGHAM, RALPH DE, CHANCELLOR OF EXETER.

JUST. 1270.

See under the Reign of Edward I.

HENGHAM, WILLIAM DE.

JUST. ITIN. 1226.

WILLIAM DE HENGHAM was a resident in Norfolk, and was probably a brother of Andrew, the father of Ralph de Heng-

[1] Excerpt. e Rot. Fin. ii. 121. [2] Abbrev. Placit. 165.
[3] Ibid. 178.; Excerpt. e Rot. Fin. ii. 410. 416. 422—524.; Dugdale's Chron. Series.

ham. His being one of four who, in 9 Henry III., were appointed to take an assize of novel disseisin in Norfolk would not alone be sufficient to warrant his insertion in this list, because such commissions were evidently distinct from those ordinarily addressed to justices itinerant: but in 11 Henry III., 1126, he was sent with three others, one of whom, Richard de Seinges, was a justicier, to try certain prisoners in the custody of the Bishop of Ely, who were charged with murder.[1]

HEREFORD, Bishops of. *See* Hugh Foliot, John Le Breton, Thomas de Cantilupe.

HEYDON, THOMAS DE.

Just. 1219.

Thomas de Heydon is described as "Clericus noster" in letters patent of 4 John, 1203, relative to lands in Heydon and in London, belonging to Robert Furree, the custody of whose daughter, Constance, had been previously granted to him.[2] In 9 John he appears to have been connected with Eustace, Bishop of Ely, in whose behalf he applied for and obtained permission that he might come to the king.[3] No further mention is made of him in that reign; but from the third to the eleventh year of Henry III., he was one of the regular justiciers at Westminster, receiving the acknowledgment of fines during the whole of that period, and acting as a justice itinerant on several occasions.[4] In 9 Henry III. he paid a fine of fifty marks for having the custody of the land and heir of Peter Picot, his brother-in-law; and ten years

[1] Rot. Claus. ii. 78. 159.

[2] Rot. Pat. 27.

[3] Rot. Claus. i. 108.

[4] Dugdale's Orig. Jurid. 42., and Chron. Ser.; Rot. Claus. i. 473, 474. 631., ii. 82. 209.; Madox's Exch. ii. 335.

afterwards his nephew, Thomas Picot, fined a palfrey for having a confirmation of the grant by his uncle of all his lands in Heydon, in Essex[1], from which place no doubt he derived his name.

HEYM, STEPHEN.

JUST. 1271.

See under the Reign of Edward I.

HEYRUN, JORDAN.

JUST. ITIN. 1225.

JORDAN HEYRUN was of a Northumberland family, and joined the barons in their contest with King John. He made his peace soon after the accession of Henry III., in the eighth year of whose reign he held a judicial position in the court at Durham, where there was a dispute whether the bishop had a right to issue certain writs. In 9 Henry III., June, 1225, he was one of the justices itinerant appointed for the counties of Northumberland and Westmoreland; and in 12 Henry III., March, 1228, he acted in the same character for the liberties of the bishoprick of Durham.[2] The William Heyrun who was Sheriff of Northumberland for eleven years from 31 Henry III.[3] was probably his son.

HILTON, ADAM DE.

JUST. ITIN. 1251.

OF Adam de Hilton little further is discoverable than that he was the last named of four justices itinerant into Yorkshire in 35 Henry III., 1251, who the next year were appointed

[1] Excerpt. e Rot. Fin. i. 124. 276.
[2] Rot. Claus. i. 341. 631., ii. 77.
[3] Fuller's Worthies; Madox's Exch. ii. 158. a.

to visit the counties of Nottingham, Derby, Warwick, and Leicester.[1] There is however one instance, in December, 1253, of a writ of assize being paid for to be taken before Alan de Watsand and him in Yorkshire[2], which bears the appearance of his having been one of the regular justiciers.

He may perhaps have been the father of the Robert de Hilton, of Hilton, in Durham, who was summoned to parliament in the next reign.[3] Dugdale gives no lineage.

HOLDERNESS, ALEXANDER DE, Abbot of Peterborough.

Just. Itin. 1226.

At the head of the list of justices itinerant for the county of Lincoln in May, 1226, 10 Henry III., appears the name of "Abbas de Burgo." He was Alexander de Holderness, who had been elected to that dignity in 1222. In consequence of this appointment, several causes between the abbot and other parties at those assizes were ordered to be heard in the ensuing Easter before the justices at Westminster. Before that period arrived, however, Alexander died, and the vacant abbey was placed in the custody of Ralph Bacon on November 16, 1226, but five days afterwards in that of the Bishop of Carlisle; and on the 7th of December the king's assent was granted to the election of the new abbot, Martin de Ramsey.[4]

HOPTON, WALTER DE.

Just. Itin. 1272.

See under the Reign of Edward I.

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 177.
[3] Dugdale's Baronage, ii. 6.
[4] Browne Willis's Mitred Abbeys, 147.; Rot. Claus. ii. 151. 155. 159, 160.

HOUBRUG, WILLIAM DE.

JUST. ITIN. 1224.

ON the fine roll of 8 Henry III., 1224, are recorded some amerciaments of assizes of novel disseisin taken in Shropshire before Ralph, Bishop of Chichester, and William de Houbrug, justices[1]: but this is the only entry which notices the latter in a judicial capacity.

William de Hobregge is mentioned by Roger de Wendover as one of the confederates against King John, in 1215, and as having incurred the sentence of excommunication in the following year.[2] His lands in Kent and Essex were then seized and granted to Richard Fitz-Hugh.[3] Under the new reign he returned to his allegiance, and, with his wife, Agnes, and her sister Alicia, the wife of Richard le Buteiller, was admitted in 3 Henry III. to the lands of Richard Picot, whose heirs the ladies were.[4]

HOUTON, JOHN DE, ARCHDEACON OF BEDFORD AND NORTHAMPTON.

JUST. ITIN. 1225.

THE Archdeacon of Bedford was one of the justices itinerant appointed in 9 Henry III., 1225, for the county of Bedford, and also for that of Buckingham.[5] Le Neve, in his List, states that John Octon succeeded to that archdeaconry, in 1218, and that John Houton "enjoyed the dignity" in 1228[6]; so that, as he does not say when the latter attained it, it would be difficult, if these were different persons, to determine which of them was the justice itinerant. There is no doubt,

[1] Excerpt. e Rot. Fin. i. 122.
[2] Roger de Wendover, iii. 297. 356.
[3] Rot. Claus. i. 165. 239. 247.
[4] Excerpt. e Rot. Fin. i. 23.
[5] Rot. Claus. ii. 77.
[6] Le Neve, 169.

however, that the two names belong to the same person, and there are instances in the fine roll of this reign in which the name is sometimes spelled Hocton, and sometimes Houton.[1] The archdeacon seems to have been much in the royal confidence. In January, 1224, he was sent with Master Alexander de Wauton on a mission to the court of Rome, for his expenses in which he received one hundred marks.[2] On his return, the distribution of the stones of the castle of Bedford, then razed to the ground in consequence of Faukes de Breaute's rebellion, was entrusted to him, with Henry de Braybroc and the sheriff of the county.[3] In the next year, besides his appointment as a justice itinerant, he was again employed in foreign parts, first in July, for which he had sixty marks, and then in October[4]; and in 1228 he took the principal part in the mission to Rome to oppose the election of Walter de Heynsham as Archbishop of Canterbury. In this object he succeeded, but not without a promise on the king's part that the pope should have a tenth of all moveables in England and Ireland to assist in carrying on the war with the emperor.[5] In 1231 he changed his archdeaconry for that of Northampton, in the same diocese; and died in 1246.[6]

HUSCARL, ROGER.

Just. 1217.

See under the Reign of John.

The fines levied at Westminster from 11 to 16 John frequently contain the name of Roger Huscarl, who continued to act as a justicier in England during the early years of the

[1] Excerpt. e Rot. Fin. i. 259. 277. 329. 425.
[2] Rot. Claus. i. 582, 583.
[3] Ibid. i. 632. 654.
[4] Ibid. ii. 47. 55. 64. 83.
[5] Roger de Wendover, iv. 171. 184.
[6] Le Neve, 161.

reign of Henry III.; being one of the justices itinerant into Yorkshire in November, 1218, the first regular iter of that reign.[1] In 7 Henry III. he was sent to Ireland, where it is evident he held the next place on the bench to the chief justice.[2]

The mode of remunerating the judges, both in England and Ireland, in that age, seems to have been by appropriating to them certain lands during the king's pleasure. Thus, in 16 John, the land which was of Roger de Tanton, in Kent, was given to him "ad se sustentandum in servicio domini Regis quamdiu eidem domino Regi placuit"[3]; and in 10 Henry III. the town of Baliscadam, in Ireland, was devoted in the same manner; thirty librates of its land being given to William de Mariscis, two carucates to Amauric de St. Amando, and the remainder to Roger Huscarl; and if that did not amount to twenty-five librates, the difference was to be made up from the Exchequer of Dublin.[4] In the previous year the specific sum of 20*l.* a year had been assigned him from the Dublin Exchequer.[5]

INSULA, BRIAN DE.

JUST. ITIN. 1226.

WHETHER Brian de Insula, or De l'Isle, was so called from the Isle of Wight, or the Isle of Ely, is uncertain. No record appears which intimates his lineage; but he held a high place in royal favour from 2 John, 1200, till his death. In that year he had a grant of the wardship of the heir of William Briton of Sidelis for a fine of 220 marks and a palfrey.[6] In 6 John the king gave him to wife Maud, the daughter and heir of Thomas, the son of William de

[1] Rot. Claus. i. 403.
[2] Ibid. i. 526.
[3] Ibid. i. 201.
[4] Ibid. ii. 125.
[5] Ibid. ii. 40.
[6] Rot. de Oblatis, 98.

Selebi, with her lands.[1] In the next year the castle of Knaresborough was committed to his keeping, to which was afterwards added that of Bolsover. He was also appointed chief forester for the counties of Nottingham and Derby; one of the custodes of the archbishoprick of York during its vacancy; and a warden of the sea-ports of Yorkshire and Lincolnshire.[2] The king frequently describes him as his beloved knight, and he seems not only to have been in continual attendance on the royal person, but to have been admitted to the intimacy of playing at tables with his sovereign.[3] During the turbulent years of John's reign he was a devoted adherent to the king, and greatly benefited by grants of the forfeited estates. In 17 John he held the office of seneschall, or steward; and was appointed one of the governors of Yorkshire.[4]

On the accession of Henry III. he had a renewal of the custody of the castle of Knaresborough and the forests of Nottingham; and aided the royal troops both at Montsorel and Lincoln. In 5 Henry III. he was constituted chief justice of the forests, but about three years afterwards was removed from his office, having got into disgrace by being one of the barons who refused to comply with the injunction to surrender the castles in their custody to the king.[5] He was then disseised of various manors he held under the crown, and several of the amerciaments he had inflicted in his office were remitted. Soon, however, making his peace, he obtained the restoration of his lands, and received several marks of royal regard; as some deer for his park at Saleby, in Lincolnshire, and the grant of a fair for that place.[6]

[1] Rot. Claus. i. 17.
[2] Ibid. 43.; Rot. Pat. 72. 80. 88.; Madox's Exch. i. 773.
[3] Rot. Misæ, 14 John.
[4] Rot. Claus. i. 219. 272.; Rot. Pat. 164.; Roger de Wendover, iii. 353.
[5] Rapin, iii. 14. 21.
[6] Rot. Claus. i. 308. 314. 475. 588—596., ii. 49. 73. 115. 145.

In 10 Henry III. he was nominated one of the justices itinerant for Yorkshire; and Dugdale notices a fine levied before him in the following year, which was evidently one taken during that circuit.[1] He was engaged at this time in the perambulation of the forests; and continued to be entrusted with the guardianship of the castles of Knaresborough, Bolsover, and Peke. In the last year of his life, 17 Henry III., 1233, he was constituted Sheriff of Yorkshire, and died before the 18th of August, 1234, when his lands were taken into the king's hands; but a few weeks afterwards were given up to Thomas Brito, and Alicia his wife, William de Glamorgan, and Ralph de Scopham, who are described as his heirs, on a fine of one hundred marks.[2]

INSULA, SIMON DE.

JUST. 1217.

SIMON DE INSULA, or De l'Isle, was probably of the Isle of Ely, as he was one of the stewards of that bishoprick in 9 and 15 John, and had property in Cambridgeshire.[3] In 7 John he paid two hundred marks and two palfreys for having the custody of the land and heir of Robert de Furnellis; and in 15 John the honour of Richmond itself, to which that land belonged, was committed to him.[4] He accompanied the king to Ireland in the twelfth year of his reign[5]; but fell off from his allegiance in the troubles at the end of it. He soon, however, submitted to Henry III., in whose first year his lands were restored to him.[6]

With respect to his judicial career, he is mentioned by

[1] Rot. Claus ii. 151.; Dugd. Chron. Series.
[2] Excerpt. e Rot. Fin. i. 263. 265.; Dugdale's Baronage, i. 737.
[3] Rot. Pat. 99. 140.; Rot. Claus. i. 108.; Rot. Cancell. 3 John, 142.
[4] Rot. Chart. 165.; Rot. Pat. 105. [5] Rot. de Præstit. 117, 118. 218.
[6] Rot. Claus. i 318., &c.

Dugdale as a justicier in fines levied before him at Westminster from 2 to 4 Henry III.[1] In 3 Henry III. he went as justice itinerant into Essex and Hertford, Norfolk and Suffolk, and had an allowance of 6*l.* for his expenses in that iter. In the previous year, one hundred shillings were paid to him at Christmas and Midsummer.[2]

INSULA, WILLIAM DE.

JUST. ITIN. 1225. JUST. 1228.

WILLIAM DE INSULA was the son of a knight of that name who married Matilda, the daughter and heir of William de Luddenham, of the manor of Luddenham, in Kent.[3] He began his career in the service of Reginald de Cornhill, Sheriff of Kent and comptroller of the mint; and several instances occur from 6 John of his conveying money to the king.[4] He was advanced, no doubt by his patron's influence, to higher offices. In 16 John, in an order for some repairs at Brikestok, in Northamptonshire, he is named as the king's bailiff, and as having the custody of the forests there; and in the next year as one of the justiciers appointed to take a recognition of the last presentation to the church of Oxeden in that county.[5] About this time he was raised to the office of marshal of the Exchequer, and it was probably in that character he was sent in 17 John to the constable of Marlborough Castle to bring six hundred marks to the king at Windsor. He is so called in 2 Henry III. in a mandate to the barons of the Exchequer, who are directed to receive his clerk in his place till he returns from an embassy to Ireland,

[1] Mr. Hunter introduces his name in 2 John; but has kindly communicated to me that the damaged state of the fine had misled him, and that it is really one of 2 Henry III.

[2] Rot. Claus. i. 350. 365. 383.

[3] Hasted's Kent, vi. 391.

[4] Rot. Claus. i. 39. 63. 101. 104.

[5] Ibid. i. 190 196. 270.

on which William, earl marshal, the rector of the kingdom, had despatched him.[1]

In 6 Henry III. he was appointed with others to hold pleas of the forest at Northampton; and in the same year, 1222, he became constable of Rockingham Castle.[2] His first nomination as a justice itinerant was in 9 Henry III., for the counties of Northampton and Rutland; an appointment probably arising from his local position. But in 10 Henry III. he acted in Lincolnshire; and in the next year the sphere of his duties was extended to the counties of Kent, Essex, Hertford, Norfolk, and Suffolk[3]: for which he had an allowance of ten marks per annum out of the Exchequer.[4] The knowledge and experience he had acquired in his previous connection with the courts had become apparent; and as fines were levied before him from Easter, 1228, 12 Hen. III., till Easter, 1231, 15 Henry III., it is manifest that he was then called to the higher position of a justicier at Westminster. During the whole of this period, and as late as 18 Henry III., 1233, his name appears as acting in numerous counties.[5]

KAUNE, REGINALD DE.

JUST. ITIN. 1225.

THE only entries occurring with regard to Reginald de Kaune (Calne) are that he was one of the justices itinerant into Wiltshire in 9 Henry III., 1225, and that he was appointed about the same time to take assizes of last presentation, &c. in that county.[6]

[1] Rot. Claus. i. 214. 353.
[2] Ibid. i. 497. 516. 573.
[3] Ibid. ii. 77. 151. 213.
[4] Dugdale's Orig. Jurid. 104.
[5] Ibid. 42.; Chron. Ser.
[6] Rot. Claus. ii. 76. 136. 141.

KELLESAY, RICHARD DE, Abbot of Selby.

Just. Itin. 1225.

The last-named of the justices itinerant for the county of York, in 9 Henry III., 1225, is the Abbot of Selby. This was Richard de Kellesay, who, from holding the office of sub-prior of that abbey, was elected abbot in 1223, on the 7th of February in which year the king gave his consent; but some irregularity having occurred, a new election took place, to which the king's assent was given on April 6. He died in 1237, or at least was then succeeded by Abbot Alexander.[1]

KENT, Earl of. *See* Hubert de Burgh.

KILKENNY, WILLIAM DE, Archdeacon of Coventry; afterwards Bishop of Ely.

Keeper, 1250.

William de Kilkenny was Archdeacon of Coventry in 1248, and held some official position in the court, as several of the accounts of Peter Chaceporc, one of the keepers of the wardrobe, were passed by his "visum et testimonium," commencing at Michaelmas, 1249, 33 Hen. III., and ending in February, 1252.[2] When John de Lexinton retired from court in 34 Henry III., 1250, the great seal was committed to Peter de Rivallis and William de Kilkenny[3]; and it is not improbable, as they both were connected with the king's wardrobe, that it was merely deposited there under their safe custody during John de Lexinton's absence.

William de Kilkenny, however, was afterwards in the sole

[1] Rot. Claus. i. 533. 540., ii. 77.; Browne Willis's Mitred Abbeys.
[2] Madox's Exch. ii. 129. 202. [3] Rot. Claus. 34 Henry III., m. 15.

possession of the seal, although the date of its delivery to him is not recorded. For on the 15th of May, 1253, 37 Henry III., the seal was committed to Peter Chaceporc, keeper of the wardrobe, and John de Lexinton, "because William de Kilkenny was ill."[1] That he did not long remain incapable of business is shown by his signature to a patent dated the 2d of the following July, relative to the government of the kingdom, during the king's absence in Gascony, by Queen Eleanor and Richard, Earl of Cornwall, who had been appointed regents. They at the same time were directed to deliver to William de Kilkenny the seal of the Exchequer, to be borne and kept by him in the place of the great seal, which the king had ordered to be locked up till his return.[2]

About Michaelmas in the following year, 1254, the monks of Ely elected him their bishop, and on the 5th of the ensuing January, the king having returned to England on the 1st, the bishop elect delivered up the great seal to him, and received a patent, 39 Henry III., m 15., expressive of his diligent and acceptable service, with an entire quittance from all reckonings and demands in respect of the king's court or otherwise, "de tempore quo fuit *Custos Sigilli nostri* in Anglia."[3]

Matthew Paris calls him "Cancellarius specialis," and Mr. Hardy, following him, has introduced him into his column of chancellors. I have found only two recorded instances in which he is distinguished by that title: one being the signature to a charter in 37 Henry III.; and the other an entry in the Michaelmas of the same year, when he appears in court and testifies that the Bishop of Worcester had appointed an attorney in a suit he had there.[4] It is observable, however,

[1] Rot. Fin. 37 Henry III., m. 9.
[2] Madox's Exch. i. 69
[3] Ibid. i. 71.
[4] Rymer's Fœd. i. 288.; Abbrev. Placit. 133.

that in neither of the preceding entries of that year is he so designated; and the words above cited from his quietus seem conclusively to prove that his real office was that of keeper of the seal.

He was not consecrated till August 15, 1255, Boniface, the Archbishop of Canterbury, being then in Savoy. He presided over his see for little more than one year, during which he gave to his monks the churches of Melburn and Swaffham. His decease occurred on September 22, 1256, while engaged on an embassy to Spain. His body was buried at Sugho, where he died, but his heart was brought to his own cathedral.

In times of violence and distraction, such as those he flourished in, it is pleasant to find all parties writing in his praise. He is represented as handsome in his person, modest in his demeanour, skilled in the municipal laws of the kingdom, wise, prudent, and eloquent; and he is mentioned among the benefactors of Cambridge.[1]

KIRKEBY, JOHN DE.

Just. Itin. 1227. Just. 1236.

The name of John de Kirkeby appears three times in the judicial list of this reign; viz. in 1227, 1236, and 1272. In the latter year, the bearer of it held the great seal, and there is proof that he lived till 1290. The presumption therefore being that he was not the individual who flourished at the previous dates, a separate notice will be hereafter given to him. The party mentioned in the first of the two former years, was probably the same person recorded in the second of them. Great difficulty, however, frequently arises in distinguishing individuals who are denominated from their

[1] Godwin de Præsul. 256.; Angl. Sac. i. 310. 636.

native places, especially when towns of the same name occur, as in this case, in different counties. A John de Kirkeby, parson of the church of Kirkeby Lonsdale, in 11 Henry III., obtained the grant of a fair there; but there is nothing to prove, though it is very possible, that he was the same John de Kirkeby who, in August of the same year, 1227, was appointed one of the five justices itinerant selected for the counties of Northampton, Bedford, Buckingham, Cambridge, Huntingdon, and Rutland.[1] Again, the tallage of Yorkshire was assessed by a John de Kirkeby in 14 Henry III.[2]; and either a justice itinerant, or a clergyman in the neighbourhood, might have been so employed. In 19 Henry III., a John de Kirkeby paid seven hundred marks to the king for the wardship and marriage of the son and daughter of Philip, the brother of Thomas de Burgh[3]; and in the next year again, in Easter, 20 Henry III., 1236, the name appears as a justicier, taking the acknowledgment of fines.[4] As it may be easily presumed that the justice itinerant is the same as the justicier, and considering that it was not uncommon for the judges of that period to have ecclesiastical preferments, there is a reasonable ground for believing that he and the incumbent of the living of Kirkeby Lonsdale are one.

KIRKEBY, JOHN DE, ARCHDEACON OF COVENTRY; afterwards BISHOP OF ELY.

KEEPER, 1272.

See under the Reign of Edward I.

[1] Rot. Claus. ii. 201. 213.
[2] Madox's Exch. i. 708.
[3] Excerpt. e Rot. Fin. i. 281.
[4] Dugdale's Orig. Jurid. 42

LACY, JOHN DE, Constable of Chester, and Earl of Lincoln.

Just. Itin. 1226.

John de Lacy, or de Lascy, constable of Chester, was the son of Roger de Lacy, mentioned as a justicier in the reign of John, by Maud de Clere. At the time of his father's death, it would seem that he was a minor; for though that event occurred about January, 1212, 13 John, he had not full livery of his lands till September, 1213, 15 John. That the king continued to him the favour which he had extended to his father, appears from his reducing the amount of one of the instalments of his large fine on admission, and deferring the payment of another; but it is evident that some suspicion of his loyalty even then existed, inasmuch as, when his castle of Dunington was committed to his charge in July, 1214, 16 John, he was called upon to provide four of his vassals, as well as his brother Roger, as hostages for his faithful services.[1] Before the end of the next year, he nevertheless joined the insurgent barons, and was one of the twenty-five who were appointed to enforce the observance of Magna Charta. Although his excommunication resulted from his activity in these transactions, it was not long before he sought and obtained the pardon of the king. This was granted to him on January 1st, 1216, 17 John, when not only his lands were restored, but several other favours were soon after conferred upon him; and in August, he had letters of protection sine termino.[2] Two subsequent records, however, afford proof of a second revolt: one in September, 1216, 18 John, by which the king committed his land of Navesby, in Northamptonshire, to Ernald de Ambleville; and another in August, 1217, 1 Henry III., by which, on

[1] Rot. Claus. i. 151. 167. 169. [2] Rot. Pat. 17 John, 162. 176. 179, 180.

returning to his allegiance, his property was again replaced in his possession.[1] He then made a pilgrimage to the Holy Land, but had returned to England before 5 Henry III., in which year he and his wife Margaret had a grant of the chase of Wynburneholt, as Robert, Earl of Leicester, held it on the day of his death.[2] She was the daughter of Robert de Quincy, by Hawise, the fourth daughter of Hugh Cyvelioc, Earl of Chester, and one of the coheirs of her brother, Ranulph, Earl of Chester, who had been also created Earl of Lincoln. This Ranulph dying without issue, and having especially desired that his sister Hawise and her descendants should enjoy the earldom of Lincoln, King Henry, on November 23d, 1232, granted the title to her grandson, this John de Lacy.

Although, at first, the new earl joined the party of Richard Mareschal, Earl of Pembroke, in his resistance to the king's authority, he was soon induced, it is said by bribes from the Bishop of Winchester, to return to his duty. He continued loyal for the remainder of his life, and was entrusted with the sheriffalty of Cheshire in 21 and 24 Henry III., and with other honours and privileges.

He twice filled the office of justice itinerant; once in 10 Henry III., 1226, as constable of Chester, when he acted in Lincolnshire and Lancashire; and again in 18 Henry III., 1233, in the former county, of which he was then earl.[3]

He died on July 22, 1240, and was buried in the abbey of Stanlaw. By his wife Margaret, who survived him, and was afterwards married to Walter Mareschal, Earl of Pembroke, he had a son, Edmund, whose son Henry, the third earl of this name, died in 1312 without issue male.[4]

[1] Rot. Claus. i. 289. 318. 339. [2] Ibid. 462.

[3] Rot. Claus. ii. 151.; Dugdale's Chron. Series.

[4] Excerpt. e Rot. Fin. i. 255. 338. 390.; Roger de Wendover, iii. 297. 355., iv. 44. 256. 270., Dugdale's Baronage, i. 101.

LANCASTER, WILLIAM DE.

JUST. ITIN. 1226.

WILLIAM DE LANCASTER was the grandson to Roger Fitz-Reinfrid, a justicier in the reigns of Henry II. and Richard I. His father, Gilbert, long before Roger's death, had married Helewise, the only daughter and heir of William de Lancaster, Baron of Kendal; and thus became possessed of vast property in Westmoreland and Lancashire. Gilbert not only himself confederated with the barons in their wars with King John, but involved his son, William, who assumed the name of Lancaster from his mother, in the same troubles. He was one of the knights who were taken in Rochester Castle in 17 John, and it was only by a fine of twelve thousand marks that his father could obtain his release, and a remission of the royal anger: nor was it till 1 Henry III. that he was discharged from prison.[1] His father died about May, 1220, 4 Henry III., when he did homage for his lands, and paid part of the fine for his redemption. He afterwards conducted himself as a loyal subject, and in 10 Henry III. was named as one of the justices itinerant for the county of Cumberland.

He held the sheriffalty of Lancashire from 18 to 30 Hen. III., and in the 25th year of that reign the honour of Lancaster was committed to his trust. He died in December, 1246, 31 Henry III., and was buried in Furness Abbey. Leaving no issue by his wife, Agnes de Brus, who survived him, his property was divided between his two nephews, Peter de Brus, the grandson of his sister Helewise de Lancaster, and Walter de Lyndesey, the son of his sister Alice.[2]

[1] Rot. Claus. i. 241. 335.; Rot. de Finibus, 570.

[2] Dugdale's Baronage, i. 421.; Rot. de Finibus, 17 John, 570.; Rot. Claus. i. 241. 335., ii. 151.; Excerpt. e Rot. Fin. i. 47, 48., ii. 4. 7.

LAUNFARE, JOHN DE.

B. E. 1258.

OF John de Launfare I can find nothing further than that he is introduced among Madox's List of Barons of the Exchequer in 42 Henry III., 1258.[1]

LEVINTON, RICHARD DE.

JUST. ITIN. 1225.

RICHARD DE LEVINTON was the son of Adam de Levinton, constable of Wallingford Castle, who held a barony in Cumberland, and died about 12 John. Richard was implicated in the barons' war with King John, for in 2 Henry III. his lands were restored to him on his returning to his allegiance.[2] His barony of Burgh-on-the-Sands not being held by military service, but by cornage, he was not liable to be summoned to join the king's armies; and in 8 Henry III. the Sheriff of Cumberland was commanded not to summon him to the army of Bedford on that account.[3] It seems doubtful whether he was not about this time constable of Carlisle, that title immediately following his name on the mandate of 9 Henry III., relative to the conveyance of the quinzime of Cumberland to York[4]; but it may possibly be a distinct person. In the same year he was appointed a justice itinerant for the counties of Cumberland and Westmoreland[5]; and in 18 Henry III. for Lancashire.[6]

On his death, about June, 1250, 34 Henry III., he was succeeded by his brother Ralph, who had married Ada, one

[1] Madox's Exch. ii. 319.
[2] Dugdale's Baronage, i. 708.; Rot. Claus. i. 374.
[3] Rot. Claus. i. 614.
[4] Ibid. ii. 73.
[5] Ibid. 77.
[6] Dugdale's Chron. Series; where the name is by mistake spelled Lemington.

of the daughters and coheirs of Joanna de Moreville, and who died in December, 1253, without male issue.[1]

LEUKNORE, GEOFFREY DE.

JUST. ITIN. 1255. ? JUST. 1165.

See under the Reign of Edward I.

LEXINTON, JOHN DE.

? KEEPER, 1238. JUST. 1248.

RICHARD DE LEXINTON, a baron so called from a manor of that name near Tuxford, in Nottinghamshire (the custody of which was granted to him in 6 John), had several sons, the two eldest of whom were this John, and Robert, who will be next noticed. The other sons were Peter and Henry, both brought up to the church, the latter of whom became bishop of Lincoln.[2]

John de Lexinton was evidently an officer connected with the court, and probably one of the clerks of the Chancery; the great seal having been several times placed in his hands apparently in that character. On the first occasion, in 22 Henry III., 1238, when the king took it away from Ralph de Neville, it was delivered to him and Brother Geoffrey of the Temple, to be held jointly[3]: but this was probably only a temporary measure, for it soon after was in the custody of Simon the Norman. The next time was in November, 1242, 27 Henry III., when he held it for a short time with William de Burgo, and afterwards in the same year alone.[4] During this period Ralph de Neville continued chancellor, receiving its emoluments till his death, in 1244, although the seal was out of his hands.

Again, on September 18, 1247, 31 Henry III., John de

[1] Excerpt. e Rot. Fin. ii. 10. 80. 176.
[2] Dugdale's Baronage, i. 743.
[3] Dugdale's Chron. Series.
[4] Hardy's Catalogue.

Lexinton had the seal during the absence of the keeper, John Mansel, on an embassy, which lasted till the 10th of the following August. On John Mansel's retirement from office, he again took charge of the seal, on October 8, 1249, 33 Henry III., but retired from court in the ensuing year.[1] He, however, appears again in the same character, in conjunction with Peter Chacepore, from May 15 to June 22, 1253, 37 Henry III., when they resigned the seal into the queen's hands, on the king's departure for Gascony.[2] He thus was five several times entrusted with the great seal; but from the nature of the appointments it is evident that he held it for little more than safe custody as an officer of the court.

Within these years he was performing other duties in connection with the court. In 1241 he had the custody of Griffin, Prince of Wales, in the Tower of London[3]: and in 1247 he is spoken of as the king's seneschall.

It is apparent that though he might be occasionally called to take possession of the great seal on a particular emergency, after June, 1248, 32 Henry III., he had then been elevated to the judicial bench; for on that date, and afterwards from October, 1251, 35 Henry III., till December, 1256, 41 Henry III., a few weeks before his death, there are numerous entries of payments made for assizes to be taken before him, precisely in the same manner as before the other judges. In 35 Henry III. also he was one of those appointed to hear the pleas in the city of London[4]: and in 38 Hen. III. he is mentioned as having been sent by the king and council to pronounce a judgment "ad Bancum Domini Regis."[5] In 37 Henry III. he was made chief justice of the forests north

[1] Hardy's Catalogue.
[2] Ibid.
[3] Rapin's England, iii. 71.
[4] Excerpt. e Rot. Fin. ii. 36—246.; Dugdale's Chron. Series.
[5] Abbrev. Placit. 132.

of the Trent, and governor of the castles of Bamburgh, Scarborough, and Pickering.

He married Margaret Merlay, but left no children. Surviving his brother Robert, who also died without issue, he succeeded to his property, which, together with the family estates, devolved, on his death in February, 1257, 41 Hen. III., on his youngest brother Henry, Bishop of Lincoln. That prelate died in the following year, when his nephews, Richard de Marcham and William de Sutton, were admitted to the inheritance as his heirs.[1]

LEXINTON, ROBERT DE.

Justr. 1219. ? Ch. Justr. 1234.

Robert de Lexinton was a younger brother of the abovementioned John. Brought up as an ecclesiastic, he followed the practice of those times by pursuing also the study of the law; but never appears to have been further advanced in the former profession than to a prebend in the church of Southwell, to which he was presented in 16 John. In the same year he acted as custos of the archbishoprick of York during its vacancy.[2]

As a lawyer he is first mentioned as taking the acknowledgment of a fine in Michaelmas, 4 Henry III.; from which period, until a short time before his death, there are the following evidences of his having acted as a justicier, both at Westminster and in the provinces.

In 5 Henry III. he was the last named of seven justices itinerant into nine counties; upon the sheriffs of two of which he had orders for the payment of five marks and ten marks for his expenses.[3] In 8 Henry III. he was the third

[1] Dugdale's Baronage, i. 743.; Thoresby's Thoroton's Nottinghamshire, iii. 220.; Excerpt. e Rot. Fin. ii. 250. 287.

[2] Rot. Pat. 115.; Rot. Claus. i. 208. [3] Ibid. ii. 461. 468.

of four justices itinerant into Buckinghamshire and Bedfordshire. He must have then made a rapid advance in his position, since in the next year, 1225, he was at the head of six different commissions into as many counties; but in the two following years he was sometimes preceded by his seniors, Stephen de Segrave and Thomas de Muleton. In 11 Henry III. he is mentioned as a justicier "de Banco;" in Michaelmas, 13 Henry III., 1228, his name is at the head of four justiciers before whom a fine was levied at Westminster; and he appears on the lists of justices itinerant in 15, 16, and 18 Henry III. In the latter year, July, 1234, three justiciers appointed "ad Bancum" were ordered to be admitted by Robert de Lexinton and William of York, he being at that time the oldest judge on the bench, and perhaps the chief of the court. When the king, in 1240, 24 Hen. III., sent justices itinerant through all the counties under pretence of redressing grievances, but with the real object of extorting money from the people, Robert de Lexinton was placed at the head of those assigned for the northern counties, William of York holding the same position in the south.[1] The subsequent entries of his acting as a judge do not extend beyond Hilary, 1243, 27 Henry III.[2], in all of which he is placed at the head of his associates. He then probably retired, having been on the bench nearly twenty-four years: but his death did not occur till seven years afterwards.

He appears to have added military to his judicial duties, and to have received various proofs of the royal confidence and favour. In 8 Henry III. he was constituted custos of the honour of Pec[3] and governor of its castle, and that of Bolsover, in Derbyshire: and there is a letter from him to Hubert de Burgh, detailing the progress of William, Earl of Albemarle, through Nottingham, with his own preparations

[1] Rot. Claus. ii. 631.; Dugdale's Chron. Ser.; Madox's Exch. ii. 355.
[2] Excerpt. e Rot. Fin. i. 348. [3] Rot. Claus. i. 594., &c., ii. 45.

to oppose him, and stating his intention to proceed himself into Northumberland.[1] He afterwards also had the charge of the castle of Orford. On the death of Philip de Ulecot, 5 Henry III., he was employed to secure his possessions; and by the king's intercession with Aliva, the daughter of Alan Fitz-Jordan, to whom the manor of Tuxford, in Nottinghamshire, belonged, he obtained a grant of it, which he soon afterwards transferred to his brother John. On his death on the 4th of the Calends of June, 1250, John succeeded as his heir to all his other property.[2]

LEYE, ROGER DE LA, ARCHDEACON OF ESSEX, and DEAN OF LONDON.

B. E. 1263.

See under the Reign of Edward I.

LICHFIELD, ARCHDEACON OF. *See* T. DE CANTILUPE.
LICHFIELD, DEAN OF. *See* RALPH DE NEVILLE.
LICHFIELD AND COVENTRY, BISHOP OF. *See* HUGH DE PATESHULL.

LINCOLN, ALURED DE.

JUST. ITIN. 1225.

ALURED DE LINCOLN was the son of the baron of the same name, who has been mentioned as a justice itinerant under the reign of Henry II. He was in King John's service, and seems to have been connected with the treasury from various entries on the rolls recording payments of money by him.[3] In 12 John he accompanied the king to Ireland[4]; but in the barons' wars he deserted his sovereign, and his lands were consequently seized and placed in the custody of Lupillon,

[1] Fourth Report Pub. Rec., App. ii. 157.
[2] Dugdale's Baron. i. 743.; Rot. Claus. i. 439., &c.; Excerpt. e Rot. Fin. i. 56.
[3] Rot. de Liberate, 5 John, 53.; Rot. Claus. 7 and 9 John, i. 1. 31. 46. 97.
[4] Rot. de Præstito, 184. 204. 216.

Balistarius Regis. In the first year of Henry III. his property was restored to him on his doing homage; and he thenceforward pursued so loyal a course, that in 9 Hen. III. he was selected as one of the justices itinerant for the county of Dorset, in which a principal part of his estates were situate.[1] He died about 24 Henry III., 1240, leaving by Maud his wife, a son, also named Alured, who dying in 48 Henry III., 1264, without issue, the estates were divided among his sisters and their heirs.[2]

LINCOLN, BISHOP OF. *See* HUGH DE WELLS.
LINCOLN, EARL OF. *See* JOHN DE LACY.
LINCOLN, TREASURER OF. *See* PETER CHACEPORC.
LITTLEBIRI, MARTIN DE.

JUST. 1261.

See under the Reign of Edward I.

LONDON, ARCHDEACON OF. *See* JOHN DE CHISHULL.
LONDON, BISHOPS OF. *See* EUSTACE DE FAUCONBRIDGE, HENRY DE WINGHAM, JOHN DE CHISHULL.
LONDON, DEANS OF. *See* MARTIN DE PATESHULL, JOHN DE CHISHULL, ROGER DE LA LEYE.

LONDON, WILLIAM DE.

JUST. ITIN. 1227. JUST. 1228.

WILLIAM DE LONDON was the nephew of Henry de London, Archdeacon of Stafford and afterwards Archbishop of Dublin, who has been mentioned as a justicier under King John.[3] He was a clergyman, and accompanied that monarch to Ireland in the twelfth year of his reign.[4] On his return he appears still in attendance on the court, being a witness to several charters. In 16 John he had letters of presentation

[1] Rot. Claus. i. 236. 302., ii. 76.
[2] Dugdale's Baronage, i. 412.
[3] See antè, p. 90.
[4] Rot. de Præstit. 229., &c.

to the prebend of Stokes, in the chapel of Walingford Castle; and two years afterwards to the church of Bretenham, in the diocese of Ely.[1] He is called "our beloved clerk" by Henry III., and had some grants from him, proving the royal favour.[2] It is not improbable that he was appointed a regular justicier about 11 Henry III.; for in the list of justices itinerant nominated in August of that year, 1227, his name in the commission for the counties of Northampton, Bedford, Buckingham, Cambridge, Huntingdon, and Rutland, stands the next to Stephen de Segrave, and in that issued in 14 Henry III., 1230, for Sussex and Rutland, he holds an equally prominent position. From Michaelmas in 13 to Easter in 15 Henry III., fines were levied before him at Westminster[3]; so that there is no doubt that he must have been elevated to the bench shortly after, if not before, his first selection as a justice itinerant. His death is not recorded.

LOUDHAM, WILLIAM DE.

Just. Itin. 1230.

Dugdale, in his Chronica Series, gives the name of William de Loudham as the last of seven justices itinerant appointed by Rot. Claus. 15 Henry III. for the county of York: beyond which no further information has been obtained.

LUCI, STEPHEN DE.

Just. Itin. 1228.

Stephen de Luci, to whose name the prefix "Magister" was invariably added as an ecclesiastic, as the designation "the Reverend" is now used, was one of the sons of Walter

[1] Rot. Pat. 118. 186.
[2] Rot. Claus. i. 354., ii. 88.
[3] Rot. Claus. ii. 213.; Dugdale's Orig. Jurid. 42., and Chron. Series.

de Charlecote, upon whom Henry de Montfort conferred the village of that name in Warwickshire; and he and his brother William were the first who assumed the surname of Luci. He held some office in the court in 7 and 8 John, several mandates being countersigned by him.[1] Seventeen years afterwards, he was so far advanced as to be sent, in 8 Hen. III., on a royal mission to Rome; and was similarly employed in the following year; in conjunction, on each occasion, with Godfrey de Craucombe.[2] On his return he was appointed custos of the bishoprick of Durham, which he held during the two years of its vacancy.[3] It was no doubt on this account that, in 12 Henry III., 1228, he was nominated one of the justices itinerant within the liberties of that bishoprick[4], for his name does not otherwise appear in a judicial capacity. In 10 Henry III. the king gave him three oaks out of Windsor Forest to build his house at Haule; and in the next year he had a gift of the land of Ballihongal, in Ireland, for his support.[5] His brother, William de Luci, to whom the king granted the hundred of Kincton, in Warwickshire, to farm[6], and who was afterwards sheriff of that county, was the progenitor of Sir Thomas de Luci, the Justice Shallow of Shakespeare; and the property is still retained by one of his lineal representatives.[7]

LYDIARD, RALPH DE.

JUST. ITIN. 1225.

IN the original commission appointing justices itinerant for the county of Somerset in 9 Henry III. dated June 14, 1225, Mathew de Clyvedon was inserted as one of them; but on

[1] Rot. Claus. i. 66.
[2] Ibid. i. 578., ii. 42—57.
[3] Ibid. ii. 152.; Excerpt. e Rot. Fin. i. 156.
[4] Dugdale's Chron. Ser.
[5] Rot. Claus. ii. 127. 168.
[6] Excerpt. e Rot. Fin. i. 130.
[7] Burke's Landed Gentry.

August 30, Ralph de Lydiard was constituted in his place. He was either an advocate in the court, or in the service of Josceline de Wells, Bishop of Bath; as he was named by that prelate in the following year as his attorney in a suit against a man whom the bishop claimed as "nativum suum."[1]

LYNDE, JOHN DE LA.

Just. 1266.

John de la Lynde was employed in Gascony by the king, two of his letters to whom on the subject of his homage to the king of France, and the excesses of the Viscount of Limoges, are still extant. There is a third also, showing that he acted as a justicier in Yorkshire: but they are all without dates.[2] His name appears in three other places in the latter character: in Trinity, 1266, 50 Henry III., on a fine; in the next year on the pleas of the court; and in May, 1270, 54 Henry III., in a payment made for an assize to be taken before him in Essex.[3]

MANSEL, JOHN, Chancellor of St. Paul's, Provost of Beverley, and Treasurer of York.

? Keeper, 1246.

Weever states that he has seen a pedigree showing that John Mansel was descended from Philip de Mansel, who came in with the Conqueror; and Burke makes him his grandson, being the son of Henry, the eldest of Philip's five sons.[4] It would seem from a letter written by the king in 1262 to the college of cardinals, that he was brought up at court, for the king says that he was "sub alis nostris educatus,

[1] Rot. Claus. ii. 76. 154.
[2] Fifth Report Pub. Rec., App. ii. 78. 92.
[3] Dugdale's Orig. Jurid. 43., and Chron. Series.; Excerpt. e Rot. Fin. ii. 512.
[4] Weever's Funeral Monuments, 273.; Burke's Peerage and Landed Gentry.

cujus ingenium, mores, et merita, ab adolescentiâ suâ probavimus."[1]

The first notice I find of him is a close writ, dated July 5, 1234, 18 Henry III. by which the king commanded Hugh de Pateshull the treasurer to admit his beloved clerk John Mansel to reside at the exchequer of receipt in his place, and to have one roll of the said receipt.[2] This was shortly after the removal of Stephen de Segrave from the office of chief justiciary, which was not then filled up; and as Mansel's office appears to have been a new one, it was probably that of chancellor of the Exchequer, which is first spoken of by name a few years afterwards. There are two entries on the fine roll showing that he was still connected with the Exchequer in 1241-2.[3]

About this time he began to receive some of those ecclesiastical benefices with which he was subsequently loaded to so extraordinary an extent, as to be noted for one of the greatest pluralists that was ever known.

Being already one of the royal chaplains, he was, in 1242, presented to a prebend in St. Paul's, and was advanced in the next year to the chancellorship of that church, to which stalls in the cathedrals of Wells and Chichester were in a short time added. These were grants by the king, to whom his activity of mind and capacity for business made him peculiarly useful in the straitened circumstances of the royal revenue. He was accordingly soon engaged in confidential and honourable employments, to which he was partly recommended by having received a dangerous wound in an attack on a besieged castle.[4]

When Silvester de Everdon was elected Bishop of Carlisle and resigned the great seal in November, 1246, it was de-

[1] Rymer's Fœd. i. 414.
[2] Madox's Exch. ii. 51.
[3] Excerpt. e Rot. Fin. 26 Henry III., i. 363. 376.
[4] Leland's Coll. i. 266., from Hist. Gervasii Monachi.

livered to John Mansel, but whether with the title of chancellor does not appear, as no record exists of his appointment. A reference, however, is made to it on the patent roll of 31 Henry III., dated August 29, 1247, in which it is stated that he *had the custody* of the seal from the 8th of the preceding November to Friday on the morrow of the decollation of John the Baptist (being the day before the date of the record), on which day the king sent him on an embassy to foreign parts.[1]

Another entry occurs in the following year, showing that he had returned from his mission, and that he had received back the *custody of the seal* on Monday after the feast of St. Lawrence (August 10, 1248); and by the patent roll of 33 Henry III. it appears that he held it till the feast of the Nativity of St. Mary in that year, being September 8, 1249.[2] In none of these entries is he called chancellor; and as they were evidently made by his direction, it is not likely that the title would have been omitted if it had belonged to him.

During this second possession of the great seal he obtained the valuable appointment of Provost of Beverley, which was the highest clerical dignity he ever enjoyed. Had he aspired to episcopal honours, so high was he in the king's favour that they no doubt would have been at his command; but the possession of the richest ecclesiastical preferments was more to his taste than the responsibility and comparatively limited revenues of a bishoprick. The extent of his yearly income from the various benefices he held is probably greatly exaggerated. Some assert that the number amounted to 700, producing 18,000 marks per annum; while others limit the number to 300, and the annual produce to 4000 marks. Among them were the valuable rectories of Maidstone, in

[1] Rot. Pat. 31 Henry III., m. 2.

[2] Rot. Pat. 32 Henry III., m. 5., and 33 Henry III., m. 3.

Kent; Wigan in Lancashire; Sawbridgeworth and Hocton, with the deanery of the cathedral church of Wimborne, in Dorsetshire; and the treasurership of the cathedral of York. The munificence of his expenditure may be judged from the stately dinner he gave in 1256 at his house in Tothill Fields, when he entertained the Kings and Queens of England and Scotland, Prince Edward, and the nobles and prelates of the kingdom. It is recorded that his guests were so numerous, that he was compelled to erect tents for their reception, and that seven hundred dishes were scarcely sufficient for the first course.[1]

In 1253 he accompanied William Bitton, Bishop of Bath and Wells, on a special mission to Spain to negotiate a marriage between Eleanor, the sister of Alphonso, King of Castile, with Prince Edward, King Henry's eldest son: and the charter which they brought back is still preserved with its golden seal among the archives at Westminster. In his commission for this embassy he is called "Secretarius noster," being the first occasion on which that title is used.

Fabyan gives an account of certain complaints against the mayor and aldermen of London being heard in January, 1257, 41 Henry III., before John Mansel and Henry Baa, meaning Henry de Bathonia, justices, Sir Henry Wengham, the chancellor, and other of the king's council; but there is nothing in the proceedings to show that he bore any other character than that of principal counsellor, while, on the contrary, the judicial part of them seems to have devolved on Henry de Bathonia. Fabyan, however, goes on to say that soon after John Mansel was "made knyte and chefe iustyce of Englande;" and that under that name, in the June following, he was one of the twelve peers appointed by the parliament at Oxford to correct the enormities that had crept

[1] Stow's London, 525.

into the government. He adds that he was thereupon discharged of his office, and Sir Hugh Bygot admitted in his place.[1] There is, however, no reasonable ground for believing that he ever was appointed chief justiciary; and I have already shown that the title is never added to his signatures or his description at the period.[2]

When the barons compelled the king at Oxford, in 1258, to consent to the appointment of twenty-four of their number to draw up articles for the government of the realm, John Mansel was one of the twelve selected on the king's part; and he is charged with having urged the king to disregard the provisions then made, and with having procured the pope's dispensation from the oath he had taken to keep them. During the conflict that followed, he firmly adhered to his royal master, and was entrusted with the command of the Tower of London. About the same time he again held the great seal for a short period, accompanying the king abroad with it in July, 1262, and resigning it on the 10th of October following, and he is then again called the king's secretary.[3]

The period of his prosperity was now drawing to its close. When the Earl of Leicester, in 1263, took up arms, his first attacks were directed against those favourites of the king who were charged as having misled him; and the principal of these was John Mansel, whose estates were accordingly plundered and property wasted. He retired with the king to the Tower of London, and thence accompanied Prince Edmund, the king's younger son, to Dover; and about the end of June, finding himself unsafe in England, he hastily fled from the kingdom. Although he was present in the following January at Amiens, when the King of France decided in favour of Henry[4], he did not venture to return

[1] Fabyan's Chron., edit. 1811, 340—343.
[2] See antè, p. 153.
[3] Hardy's Catalogue, 9.
[4] Chron. Rishanger, 12. 17. 118.

to the English court: and his career is said to have terminated in poverty and wretchedness. The date of his death is stated by some to have been 1264, by others 1268; but I am inclined to place it even beyond the latter date, as he is named as one of the executors of King Henry's will, dated in June, 1269, 53 Henry III.[1] The place of his death has never been recorded.

Whatever may be considered of his clerical or political character, it seems that upon an emergency he could act the part of a brave and resolute soldier. His dangerous wound at a siege has been already mentioned; and Holinshed relates that in an encounter with the French soon after the battle of Tailborge, in July, 1242, Sir John Mansel, the king's chaplain, and one of his privy council, "did right worthilie, taking prisoner with his own hands one Peter Orige, a gentleman in good place."[2]

In 1253 he founded the priory of Bilsington, near Romney, in Kent, for canons regular of the order of St. Augustine, endowing it with part of his manor of Bilsington and other valuable revenues.[3]

Burke states that he married Joan Beauchamp, daughter of Simon, Baron of Bedford; and that he left three sons, from one of whom descended the present family of Maunsel of Limerick. Another son is called the ancestor of the extinct baronets of that name and of Baron Mansell of Margam, in Glamorganshire; and of the present baronet, Sir John Bell William Mansel, of Muddlescombe, Carmarthenshire. There is, however, such clear proof of his being an ecclesiastic, that to make this pedigree probable, it must be shown that all his valuable preferments, including the provostship of Beverley, could be held by one not in holy orders; or that he was married before he was ordained; neither of which is very

[1] Rymer's Fœd. i. 496.
[2] Holinshed, ii. 397.
[3] Dugdale's Monast. vi. 492.

probable. The confusion may have arisen from there having been another John Mansel at the period, whose widow, Felicia, in 47 Henry III., had a writ relative to certain lands in Rossington, Derbyshire.[1]

MARA, HENRY DE.

Just. 1248.

Henry de Mara, or de la Mare, was raised to the judicial bench before June, 1248, 32 Henry III., as in that month writs were paid for to have assizes held before him. These continued till 40 Henry III., 1256: but his name does not occur upon fines, except in Michaelmas, 1251, 35 Henry III.[2] In 39 Henry III. he had a grant of the custody of the land of William, the son of Walter de Merk.[3]

He died before June 13, 1257, 41 Henry III., his executors on that date obtaining a permission to account in a certain way for the manors of Lutegareshall and Marlborough, which he had held to ferm.[4]

There were several families of this name, but I cannot identify with certainty that to which the justicier belongs.

MARESCHALL, JOHN.

Just. Itin. 1219.

John Mareschall was the great-grandson of Gilbert, marshal to King Henry I., and nephew to the eminent warrior William, Earl of Pembroke (already noticed under the reign of Richard I.), who was appointed custos of the kingdom on the accession of Henry III.

Early in the reign of John he was connected with the

[1] Excerpt. e Rot. Fin. ii. 394.
[2] Ibid. ii. 36., &c.; Abbrev. Placit. 132.; Dugdale's Orig. Jurid. 42.
[3] Excerpt. e Rot. Fin. ii. 198. [4] Ibid. 257.

court, several documents being countersigned with his name, and the castle of Falcise being committed to his keeping in 4 John. In the next year he proceeded to Ireland to take the stewardship of his uncle's lands and castles in Leinster; and in 9 John he obtained the grant of the office of Marshall of Ireland, the duties of which he was afterwards permitted to perform by deputy[1]; and he was with the king in that country in 12 and 14 John.[2] In the latter year the custody of the castles of Whitchurch (Album Monasterium) and Screward, in Shropshire, was entrusted to him, to which was added, in the next year, the guardianship of the Marches of Wales, and also the sheriffalty of the county of Lincoln.[3] He held the latter office in Norfolk and Suffolk in 17 John for a short time; and also in the counties of Dorset and Somerset, and soon afterwards in that of Worcester[4], with the charge of the castles of all these counties. The numerous grants which he received show the estimation in which his sovereign held him. Among them was the manor of Fekenham; and a letter exists from him to Hubert de Burgh, praying his aid to insure his quiet possession thereof and of his other property.[5] The zeal and energy with which he supported the royal cause throughout the troubles of the reign prove both his loyalty and his gratitude.

In the next reign he was not likely to be less active under the protectorate of his uncle, the Earl of Pembroke; and accordingly we find him not only joining the army for the relief of Lincoln, but united with Philip de Albini in the command of the fleet which intercepted and destroyed the French armament, in August, 1217[6], and thus forced the

[1] Rot. de Liberat. 46.; Rot. Pat. 24. 42. 155.; Rot. Chart. 173.; Rot. Claus. i. 407.

[2] Rot. de Præstit. 192. 233. 235.; Rot. Misæ, Cole's Documents, 240.

[3] Rot. Pat. 100. 103. 109. [4] Ibid. 144. 150, 151. 193.

[5] Fourth Report Pub. Rec., App. ii. 157.

[6] Roger de Wendover, iv. 19. 28.

retirement of Prince Louis from the kingdom. He was then made Sheriff of Hampshire and constable of the castle of Devizes; and in 2 Henry III. was appointed chief justice of the forests[1], which he held for several years. In 3 Hen. III. he acted as a justice itinerant in Lincoln, Nottinghamshire, and Derby; and is mentioned as taking the acknowledgment of a fine in 12 Henry III., probably, however, only as a justice itinerant.[2]

During the remainder of his life he was employed in various embassies for the king[3], whose favour he retained till his death, which occurred about June, 1235, 19 Henry III.[4]

His wife Alina, one of the daughters and heirs of Hubert de Rie, survived him for nearly thirty years, being alive in November, 1263, 48 Henry III., when she had seisin delivered to her of the lands of her sister Isabella, the wife of Hugh de Cressy.[5] By her he left a son John, in whose descendants the barony remained for four generations; when the last baron, John, dying in 10 Edw. II. without issue, the property devolved upon his sister Isabel, the wife of Robert de Morley.[6]

MARESCHALL, WILLIAM LE.

B. E. 1264.

THERE were four marshals, besides the Magister Marescallus, who served in the king's household and in the Exchequer, and several of them adopting the title as a name, there were at this time various families so called. That to which this William le Mareschall belonged seems to have had the manor of Haselberg, in Northamptonshire. During the troubles under Henry III. he was appointed by the

[1] Rot. Claus. i. 407.
[2] Rot. Claus. i. 525. 534., ii. 47. 59.
[3] Ibid. ii. 406.
[4] Dugdale's Chron. Series.
[4] Excerpt. e Rot. Fin. i. 284.
[6] Nicolas's Synopsis.

council one of the barons of the Exchequer in 1264; but, adhering to the fortunes of Simon de Montfort, he forfeited his lands both at Haselberg and Norton. His son John recovered the former for a fine under the dictum of Kenilworth, but eventually lost the manor by judgment of the court.[1]

MARISCO, RICHARD DE, ARCHDEACON OF RICHMOND AND NORTHUMBERLAND; afterwards BISHOP OF DURHAM.

CHANCELLOR, 1216.

See under the Reign of John.

OF the early history of Richard de Marisco (Marsh) no trace remains. Holding a subordinate office in the Exchequer, he accounted in 8 Richard I., 1197, for the rents of the see of Durham on behalf of Gilbert Fitz-Reinfred and Richard Brewer, who were its custodes while it was in the king's hands.[2] In held in 1207, he is specially mentioned as a clerk in the John, let of the Exchequer[3]; and numerous entries on the c. ber, patent, and other rolls show, not only his continued employment in that capacity, but also his frequent attendance on the person of the king; various payments passing through his hands, and an allowance being made to his clerk.[4]

His length of service having raised him high in his department, he received the preferment with which the clerks of the court were usually rewarded. In 10 John a prebend in the church of Ely was given to him, which a few weeks after was changed for the incumbency of Bamton, in Oxfordshire.[5] This was followed by the archdeaconry of Northumberland, under which title, on July 20, 1212, he had a grant

[1] Madox's Exch. ii. 56. 120.; Excerpt. e Rot. Fin. ii. 435.
[2] Madox's Exch. i. 714.
[3] Rot. Pat. 9 John, 74. 81., &c.
[4] Rot. de Præstit. 12 John, 177., &c.
[5] Rot. Pat. 10 John, 86, 87.

of the church of Kemsey, in Worcestershire.[1] In November of that year he was appointed Sheriff of Dorset and Somerset[2], and in the same year was gratified with a royal present of one of three ships which had been captured.[3] Soon afterwards, the archdeaconry of Richmond was added to his preferments; he is mentioned in that character on July 4, 1213[4], and on August 16 he had the grant of a prebend in York Cathedral.[5] Previously to this time he had evidently been raised to a higher position in the court; for, in 14 John, 1212–13, he was one of the justiciers before whom fines were levied at Westminster[6]; and in the same year he is mentioned as "residens ad Scaccarium."[7] Dugdale, in his Chronica Series, introduces him as chancellor in the same year; but this is clearly an error, as Walter de Grey had not been then displaced; and there is ample evidence that Marisco was still engaged in his old employment in connection with the revenue, during the whole of that and the following year.[8] It is true that the patent and close rolls of 15 John contain an entry that on October 9, 1213, he delivered the seal to the king at Ospringe[9]; but this entry does not call him chancellor, and of itself proves nothing more than that he was the messenger by whom the seal was delivered into the royal hands. The fact was, that Walter de Grey, the chancellor, was then about to proceed on an embassy to Flanders, and Marisco, as an officer of the chamber of the Exchequer, where the seal was commonly deposited, was naturally employed to convey it to the king.

[1] Rot. Pat. 14 John. 93.
[2] Ibid. 95.
[3] Rot. Claus. 14 John, i. 118.
[4] Rot. Pat. 15 John, 102.
[5] Ibid. 103. 105.
[6] Fines of Richard I. and John.
[7] Rot. Claus. 14 John, i. 132.
[8] Rot. Misæ, 14 John, Cole's Documents, 236. 245, &c.; Rot. de Finibus 15 John, 464. 466. 470.; Rot. Pat 15 John, 100.
[9] Rot. Pat. 102.; Rot. Claus. i. 153.

Prynne gives a charter dated October 3, 1213, 15 John, subscribed "Data per manum Ric. de Marisco;" but if this is to be taken as a proof that he was chancellor at that time, the same argument would be equally conclusive for the three preceding years, during which there are numerous charters authenticated by him in the same manner. Not only is it well known that Walter de Grey was then chancellor; but upon the same evidence there would be many competitors. Neither they, however, nor Richard de Marisco, can be regarded as any thing more than the official persons who, under the chancellor, took their turns of adding the formal authentication to those instruments. It was not till the following year, on the ultimate resignation of Walter de Grey, that he became chancellor, and the day of his appointment may be collected from the charter rolls. On October 28, 1214, 16 John, he subscribed a charter simply with his name, as he had invariably done before; but to a charter on the following day he added "Cancellarii Domini Regis;"[1] and so signed himself on every future occasion. He was therefore installed in the office either on the 28th or 29th October, 1214. From this time till the end of the reign he continued chancellor. He is so called on charters granted in almost every succeeding month, and there is a document on the patent roll with his name as chancellor so late as 6th October, 1216, only a few days before the king's death.[2]

On the accession of King Henry III. he was continued in the office[3], from which he was not removed during the remainder of his life. In the third year of the reign he was placed at the head of the justices itinerant in Yorkshire and Northumberland, and he is mentioned as chancellor on the close roll as late as June 15, 1225, 9 Henry III.[4]

[1] Rot. Chart. 16 John, 202.
[2] Rot. Pat. 18 John, 198.
[3] Rot. Claus. 1 Henry III., i. 313.
[4] Ibid. 403., ii. 73.

On the death of Eustace, Bishop of Ely, in 1215, King John had endeavoured to procure the election of Richard de Marisco to that see[1], but he did not succeed.

In the first year of Henry's reign, however, he was raised to the bishoprick of Durham, which had been vacant for nearly nine years. He is called "our beloved chancellor, Master Richard de Marisco, elect of Durham," on a record dated 29th June, 1217[2], so that he was not consecrated till after that date; Roger de Wendover says "Nono Kalendas Augusti," 23 July.

During his rule of his great diocese he is said to have exhibited such profuse prodigality as to have excited the fear of the monks that he would waste their property as well as that of the church. Encroaching upon their privileges, they retaliated by charging him before the pope, not merely with the minor offences of extravagance and waste, but with the crimes of perjury, simony, sacrilege, adultery, and blood. He was obliged to proceed to Rome to meet the charges, and there is a record that shows he was absent from England in January, 1221.[3] It is alleged that he softened the pontiff by his presents, and induced him so to protract the contest, that, in fact, no sentence was pronounced while he lived. Before his death, however, he restored to the monks the rights and liberties of which he had deprived them, and gave some churches for their benefit.[4]

The annoyance occasioned by these litigations was increased by the disrespect with which he was treated by Ralph de Neville, Dean of Lichfield, who was employed as his deputy in the duties of the Chancery, and was evidently attempting to supersede him in his office. A letter is extant among the public records, in which Richard de Marisco

[1] Rot. Pat. 16 John, 136.
[2] Rot. Claus. 1 Henry III., i. 313. 326.
[3] Excerpt. e Rot. Fin. 5 Henry III., i. 59.
[4] Angl. Sac. i. 732.

reprimands the dean for suppressing his title of chancellor in some letters he had addressed to him.[1]

His death was very sudden. Travelling to London to attend a legantine council, he stopped for one night at the monastery of Peterborough, and was found dead in his bed on the following morning. This event occurred on May 1, 1226, 10 Henry III. His body was removed to Durham, where it was buried in the cathedral. He is said to have left the see much in debt, and Godwin gives a curious rhyming Latin epitaph intended for his tomb.

His dissensions with the monks must induce us to hesitate before we take his character as they have represented it; but it may easily be supposed that one who was, as Roger de Wendover says, "de familia et moribus regis Johannis," would not be under any great moral restraint.[2]

MARSH, RALPH DE, ABBOT OF CROYLAND.

JUST. ITIN. 1272.

THE Abbot of Croyland stands at the head, for little more than ornament it may be presumed, of the justices itinerant who were commissioned in 56 Henry III. into the county of Leicester.[3] He never appears afterwards in a judicial character. The abbot at that time was Ralph de Marsh, who had been a monk there, and was raised to the abbacy about October, 1254. He died on Michaelmas-day, 1281.[4]

MAUCLERK, WALTER, afterwards BISHOP OF CARLISLE.

JUST. ITIN. 1219.

WALTER MAUCLERK (Malus Clericus) was one of King John's chaplains, and in the fourth year of that reign received

[1] Fifth Report Pub. Rec., App. ii. 66.

[2] Godwin de Præsul. 739.; Angl. Sac. i. 732.; Le Neve, 324. 347. 354.; R. de Wendover, iii. 237. 320., iv. 46. 68. 126.

[3] Dugdale's Chron. Series.

[4] Browne Willis's Mitred Abbeys.

letters of presentation to the church of St. Trinity de Faleis, to which were afterwards added two parts of the church of Crocston, in Lincolnshire, the churches of Nimeton and St. Melo in Devonshire, and of Katfield in Norfolk.[1] He was employed in various ways by the king, being in 6 John one of the bailiffs of the county of Lincoln[2]; in 14 John he acted in the Exchequer in Ireland[3]; and in 16 John he was sent as an ambassador to Rome to urge the royal complaints against the barons. A letter of his while engaged in this mission is extant in Rymer's Fœdera, (i. 120.)

In 3 Henry III. he was one of the justices itinerant into the counties of Lincoln, Nottingham, and Derby[4]; and in 5 Henry III. was a justice of the forest.[5] In the following year he was Sheriff of Cumberland and Constable of Carlisle, offices which he held for several years.[6] In August, 1223, having been elected Bishop of Carlisle, the king, displeased that his permission had not been applied for, prohibited the Archbishop of York from confirming him until his assent had been obtained. This he withheld till the following October[7], when he permitted the consecration. From this time Mauclerk continued for several years to enjoy the royal confidence, being several times sent on special embassies abroad[8]; and at last, in July, 1232, he was raised to the office of treasurer.[9] By the instigation, however, of Peter de Rupibus, Bishop of Winchester, he was in the next year ejected from his office, fined one hundred pounds of silver, and deprived of various possessions which had been previously

[1] Rot. Pat. 14. 74. 93. 103.
[2] Ibid. 47.; Rot. de Liberat. 100.; Rot. de Finibus, 419.
[3] Rot. Pat. 95.; Rot. Claus. i. 132.
[4] Dugdale's Chron. Ser.; Rot. Claus. i. 387. 399.
[5] Rot. Claus. i. 434. 451. 475. 490.
[6] Ibid. i. 502. 513. 544. 547.
[7] Ibid. i. 560. 573. 578.
[8] Ibid. i. 627. 652., ii. 11. 20. 42. 70. 168. 206. 212.
[9] Dugdale's Chron. Ser.

granted to him. His intention to appeal to Rome was frustrated by his being stopped at Dover at the moment of embarkation with such violence, that Roger, Bishop of London, immediately excommunicated the officers who had impeded him, and boldly repeated the sentence before the king.[1] The bishop afterwards recovered the royal favour, and was not only appointed catechist to Prince Edward[2], but in 1246, when the king went into Gascony, he and William de Cantilupe were united with Walter de Grey, the Archbishop of York, in the government of the kingdom during the royal absence.[3] He resigned his bishoprick on June 29, 1246, 30 Henry III., and took the habit of a preaching friar at Oxford, where he remained till his death on Oct. 28, 1248.[4]

MERLAY, ROGER DE.

JUST. ITIN. 1225.

ROGER DE MERLAY was the son and heir of a Northumberland baron of the same name, who died in 34 Henry II., by Alice de Stuteville his wife. Being a minor at the time of his father's death, he was placed under the wardship of Earl Duncan, of Fife, in Scotland, who paid five hundred marks for the grant.[5] The manor and castle of Morpeth formed part of his possessions; for which he procured a market and fair from King John, upon a fine of twenty marks and two good palfreys.[6] In 12 John he accompanied the king to Ireland[7]; but afterwards joined the barons against him; whereupon his castle and lands were seized and given to Philip de Ulecot. On the accession of Henry III. he joined those who returned

[1] Roger de Wendover, iv. 264. 272.
[2] History of Carlisle (1838), 189.
[3] Rot. Pat. 26 Henry III., m. 2.
[4] Godwin de Præsul. 763.
[5] Dugdale's Baronage, i. 570.; Howard of Corby's Memorials; (Dacre Lineage.)
[6] Rot. de Oblatis, 52.
[7] Rot. de Præstito, 221.

to their allegiance, and recovered his possessions. He acted as one of the lords of the Marches between England and Scotland; and assisted the king in the siege of the castle of Bedford in 8 Henry III., and during his attendance with the army there was acquitted of his service of ward at the castle of Newcastle-upon-Tyne, and was also excused the scutage to which he was liable.[1]

He twice was appointed a justice itinerant: first, in 9 Henry III., 1223, for Northumberland; and in the next year for Cumberland.[2]

His death occurred in 23 Henry III., 1239, when he was buried in the abbey of Newminster, founded by his grandfather; and was succeeded by his son, also named Roger, who, dying in 50 Henry III., 1266, without male issue, the property was divided among his daughters.

MERTON, WALTER DE, Bishop of Rochester.

Keeper, 1258. Chancellor, 1261. ?Just. 1271.

See under the Reign of Edward I.

MESSENDEN, ROGER DE.

Just. 1267.

Roger de Messenden was a chaplain of the king, and was presented by him in 58 Henry III., to the church of Colchyrch, in London, in consequence, as he alleged, of the mastership of the hospital of St. Thomas of Acon, to whom the advowson belonged, being vacant. His right was disputed in the court, but the decision is not given.[3] Roger was raised to the bench in or before 51 Henry III., 1267, at Midsummer in which year fines were levied before him. Although none occur of a subsequent date, he is mentioned

[1] Rot. Claus. i. 246. 247. 341. 496. 609. 616.

[2] Rot. Claus. ii. 77. 151.

[3] Abbrev. Placit. 130. 139.

as one of the justices of the bench before whom Robert de Coleville apologised for an assault on Robert de Fulham, justice of the Jews, in Michaelmas term in the following year, and in the same year was in the list of justices itinerant appointed to visit thirteen counties. No writs were taken for assizes to be held before him after October, 1268, 52 Henry III.[1]

MIDDELTON, RICHARD DE.

JUST. 1262. CHANCELLOR, 1269.

RICHARD DE MIDDELTON was one of the justiciers who, in 46 Henry III., 1262, had 40*l.* a year assigned for their support in the office[2], and there is evidence that he continued to act in that capacity from that time till 53 Hen. III., 1269.[3]

At the end of July in that year he was appointed keeper of the great seal, but was afterwards raised to the dignity of chancellor, by which title he is designated in a document in Rymer, dated February 20, 1272, and in the record mentioning his death, which took place, while in office, on the 7th of the following August.[4] In a previous page I have noticed the profits of this office, and the expenses charged upon them.[5]

Nothing is related either of his public or his private life. It appears that he was a layman, as he and his wife Alicia, in 1269, paid a fine of half a mark for an assize to be taken before Martin de Littlebiri.[6]

[1] Dugdale's Chron Series; Excerpt. e Rot. Fin. ii. 463—479 ; Madox's Exch. i. 236.

[2] Dugdale's Chron. Series.

[3] Excerpt. e Rot. Fin. ii. 383—492.

[4] Dugdale's Chron. Ser.; Rymer's Fœd. i. 492.

[5] See antè, p. 147.

[6] Excerpt. e Rot. Fin. ii. 492.

MOHUN, REGINALD DE.

Just. 1234.

Reginald de Mohun, or Moyun, was a lineal descendant from William de Mohun, who for his assistance in the invasion of England, received from William the Norman a large number of lordships in Devonshire, Wiltshire, Warwickshire, and particularly Somersetshire, with the castle of Dunster, in the latter county. He was the son of another Reginald, who died in 15 John, and of Alicia, one of the daughters of William Briwer, who afterwards married William Paynell.[1] At his father's death he was very young, and was consigned to the wardship of Henry Fitz-Count, on whose decease, in 6 Henry III., he was removed to the guardianship of his grandfather, William Briwer; and he is still mentioned as a minor in 8 Henry III.[2]

No further notice occurs relative to him until the eighteenth year of that reign, when, on July 6, 1234, the justiciers of the bench were commanded to admit him and Robert de Bello-Campo among them.[3] In 26 Henry III., 1242, he was appointed chief justice of the forests south of the Trent[4], an office which he enjoyed for many years. In 37 Henry III. he was made governor of Sauveye Castle, in Leicestershire; and died before January 18, 1262, 46 Hen. III.; as on that day William la Zuche had a grant of the marriage of the heirs of Isabella, his widow, for two hundred marks, or so much more as any one would give within a year.[5] She was the daughter of William de Ferrers, Earl of Derby, and was his second wife. He first married a sister of Humphrey de Bohun, Earl of Hereford and Essex, and had by her a son John, who succeeded him. Another son, named William,

[1] Excerpt. e Rot. Fin. i. 169.
[2] Dugdale's Chron. Ser.
[3] Ibid. 79.; Rot. Claus. i. 137. 518. 605
[4] Excerpt. e Rot. Fin. i. 375.
[5] Ibid. ii. 365.

recovered against the Abbot of Newenham the advowson of the church of Loveputte, in Devonshire, which his father had given to him.[1]

Reginald founded the abbey of Newenham, near Axminster. The barony failed for want of male heirs in the reign of Edward III.[2]

MONMOUTH, JOHN DE.

JUST. ITIN. 1220.

JOHN OF MONMOUTH (Monemue) was descended from William Fitz-Balderon, who is recorded in Domesday Book as the possessor of many lordships and other lands in Gloucestershire, Herefordshire, and Monmouth. The latter name was adopted by his successors, the fourth of whom was the subject of the present notice. He was the son of Gilbert de Monmouth, and in 3 John seems to have been a minor under the wardship of William de Braiosa, that baron then paying 20*l.* for his scutage in Herefordshire.[3] A few years afterwards he in some manner offended the king, and gave his two infant sons, John and Philip, as hostages for his good conduct[4]; paying a large fine for his restoration to the royal favour[5], which he ever afterwards preserved. In King John's troubles he was sent with others into several counties, on a confidential commission to explain the king's affairs[6]; and in the same year, 16 John, he was summoned to proceed to Cirencester with horse and arms. A royal present of a complete horse was the immediate reward of his readiness on that occasion[7]; but others quickly followed, among which were the custody of the castles of St. Briavel and Bremble,

[1] Abbrev. Placit. 161.
[2] Dugdale's Baronage, i. 497.
[3] Rot. Cancell. 108. 110.
[4] Rot. Pat. 10 John, 87.
[5] Dugdale's Baron. i. 442.
[6] Rot. Pat. 16 John, 128.
[7] Ibid. 134. 137.

with the forest of Dean; and grants of the lands of Hugh Malbisse, and of the castles of Grosmount, Skenefriet, and Lantelioc, in Wales.[1] He was also keeper of the New Forest, which he appears to have held in right of his wife, together with the forests of Clarendon, Pancet, and Bocholte.[2] She was Cicely, the daughter of Walter Walerond, to whom they had belonged.

Situated as he was on the Marches of Wales, he had to sustain the attack of the earl marshal; and when the king, in 1233, had been defeated at Grosmount, he was appointed one of the commanders of the Pictavians whom the king had introduced to resist the rebellious earl. That active general having discovered that the royal army intended to attack him, placed an ambush on the line of its march, surprised and totally defeated it, John of Monmouth only escaping by a hasty flight.[3] He lived several years after this, and died about September, 1248, 32 Henry III., when his son paid a fine of 100*l.* for livery of his lands.[4]

There is little to record of his judicial career. In 4 Hen. III. he was one of four justices itinerant (Martin de Pateshull being at the head of the list) who were sent to deliver the gaol at Hereford; and in the next year he, with other associates, visited that county and eight others in the same capacity.[5] Dugdale inserts him among the king's justiciers in 6 Henry III., on the authority of a fine levied before him at Westminster[6]; but looking to his usual employment and to the absence of all further evidence, it seems probable that he never filled that office, but that the fine arose out of some of the proceedings in his previous circuit. He is called in a letter the king's justice of South Wales.[7]

[1] Rot. Pat. 153. 157. 160. 185. 194.; Rot. Claus. i. 239. 393. 586.
[2] Ibid. 314. 393—519. 526. 531.
[3] Roger de Wendover, iv. 279. 289.
[4] Excerpt. e Rot. Fin. ii. 41.
[5] Rot. Claus. i. 437. 476.
[6] Dugdale's Chron. Ser.
[7] Fifth Report Pub. Rec., App. ii. 79.

MONTEALTO, ROGER DE.

JUST. ITIN. 1260.

THE chief residence of this family was situate on a little hill in Flintshire, then called Montalt, but now Mould; where the grandfather of Roger de Montealto built a castle. His father was Robert de Montealto, and held the barony under the Earl of Chester. Roger's early life was engaged in opposing the aggressions of David, son of Llewellyn, Prince of Wales, in which he eminently distinguished himself. In 34 Henry III. he took the cross, and prepared, at great expense, for the expedition to the Holy Land; but it is not related that he went there. In 42 and 44 Henry III. he was called upon, with the other Barons Marchers, to quell new insurrections of the Welsh: and in the latter year he was placed at the head of the justices itinerant into Shropshire and Staffordshire and the neighbouring counties.[1] Before June 27 in that year, 1260, he died, leaving his wife Cecilia, one of the sisters and coheirs of Hugh de Albini, surviving[2], with one daughter Leucha, who married Philip de Orreby; and two sons, John and Robert, the former of whom succeeded him. The barony became extinct in 1329, for want of issue.[3]

MONTEFORTI, HENRY DE.

JUST. 1266.

See under the Reign of Edward I.

MONTFICHET, RICHARD DE.

JUST. ITIN. 1225. B. E. 1234.

THE baronial family of Montfichet came over to England at the Conquest. William, the first of the name, founded the

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 329.
[3] Dugdale's Baronage, i. 527.; Nicolas's Synopsis.

abbey of Stratford-Langton, in Essex, and his son Gilbert the priory of Ankerwike, in Buckinghamshire. Richard, his son, had the charge of the forests of Essex under Henry II., and died in 5 John, leaving, by his wife Milisent, a son, Richard, the subject of this notice, then a minor. Roger de Lacy, constable of Chester, fined one thousand marks for his wardship, which was subsequently transferred to his mother.[1] He attained his majority about 16 John, in which year he was in attendance at the court, and witnessed several charters; and in the following year, on June 21, 1215, the forests of Essex were restored to his custody as his right.[2] Before the end of that year he became so active an adherent to the rebellious barons, that he was one of the twenty-five who were appointed to enforce the observance of Magna Charta. For this he was put under the ban of excommunication, and his lands were seized into the king's hands. Even after the death of King John he did not desert the standard of Louis, till he was taken prisoner at Lincoln in May, 1217, when the cause becoming desperate by the issue of that battle, and the prince returning to France, Richard de Montfichet, with other barons, was allowed, in a short time, to make his peace.[3] Immediately afterwards he is found in the regular exercise of his duties in the forests of Essex; but within a few years his impetuosity again led him into trouble. Contrary to the king's prohibition, he chose to attend the tournament given at Blythe, in 7 Henry III.; for which his lands were again seized, but, after a few months, and no doubt upon the payment of some penalty, they were restored to him.[4]

It is evident, however, that this affair was looked upon

[1] Dugdale's Baronage, i. 438.
[2] Rot. Chart. 197—204.; Rot. Pat. 144.
[3] Roger de Wendover, iii. 297. 356., iv. 24.; Rot. Claus. i. 259. 327.
[4] Rot. Claus. i. 416., &c., 539.

rather as the intemperance of youth than as an act of concerted disobedience; for in 9 Henry III. his name was inserted immediately after that of Robert de Lexinton, in the list of justices itinerant for the counties of Essex and Hertford.[1]

In 18 Henry III. the treasurer and barons of the Exchequer were commanded to admit Richard de Montfichet as their companion, "ad residendum ad Scaccarium nostrum tanquam Baro, pro negotiis nostris quæ ad idem Scaccarium pertinent." It does not appear that he had any allowance made to him for this duty, although a salary of forty marks per annum was granted to Alexander de Swereford, who was appointed at the same time.[2]

Three years afterwards he was constituted justice of the forests over nineteen counties, and from 26 to 30 Henry III., he held the office of Sheriff of Essex and Hertford, in which his possessions were situate, the principal of which was the barony of Stanstead.[3]

Having lived to a good old age, he died in 52 Henry III., 1268; but leaving no issue, his estates were divided among the children of his three sisters.[4]

MOYNE, JOHN LE.

? JUST. 1266.

THE first mention that occurs of John le Moyne is that he was fined twenty marks in 26 Henry III., 1242, for marrying Isabella, one of the heirs of Eustace de Fercles, without the king's licence.[5] In 38 Henry III. he was sheriff of the counties of Cambridge and Huntingdon; and complaints were made against him that he took money at

[1] Rot. Claus. ii. 76.
[2] Madox's Exch. ii. 54.
[3] Dugdale's Baronage, i. 438.
[4] Excerpt. e Rot. Fin. ii. 471.
[5] Ibid. i. 374. 459.

the sheriff's tourn contrary to the custom in those counties; and also that he received a conveyance of sixty acres of land, twenty-three acres of meadow, and two messuages, from a man charged with the murder of his father, of which he was convicted and hanged.[1] The result of the investigation does not appear.

But on December 5, 1265, 50 Henry III., he and Robert de Fulham were constituted justices of the Jews[2]; in which office he did not long remain, unless it was while he held it that he performed the functions of a regular justicier; for at the end of the following September there are entries of assizes directed to be held before him in conjunction with Master William de Poywick, which extend to August, 1267, in the counties of Hereford, Gloucester, and Worcester.[3]

His continuance in this employment was not of long duration, for on December 25, 1268, his name appears as the king's escheator south of Trent, and mandates are directed to him in that character till August 1, 1270, 54 Henry III.[4]; soon after which he was succeeded in that office by Master Richard de Clifford.

There was a William le Moyne who was shortly afterwards Sheriff of Cambridge and Huntingdon, who was probably his son.[5]

MULETON, THOMAS DE.

Just. Itin. 1219. Just. 1224. ? Ch. Just. 1236.

The family possessions of Thomas de Muleton were at a place of that name in Lincolnshire, where his ancestors for three generations had resided.[6] He was the son of Lambert

[1] Excerpt. e Rot. Fin. ii. 213.; Madox's Exch. i. 446.; Fuller's Worthies.
[2] Madox's Exch. i. 234.
[3] Excerpt. e Rot. Fin. ii. 444. 457.
[4] Ibid. 481—519.
[5] Fuller's Worthies.
[6] Dugdale's Baronage, i. 567.

de Muleton, and in 7 John and the two following years was sheriff of the county of his birth; for which appointment he paid a fine of five hundred marks and five palfreys.[1] At the termination of his office he seems to have offended the king, since Reginald de Cornhill was commanded to take his body and imprison him in Rochester Castle, until he had paid what he owed to the crown to the last penny.[2] He was not long in disgrace, but in 12 John accompanied the king to Ireland, and was with him in 14 John, when he appears to have been responsibly employed. His attestation is appended to several charters during this and the two following years.[3] On the rising of the barons he joined their party, and was unlucky enough to be taken prisoner with his son Alan in the castle of Rochester.[4] He had been previously excommunicated, and was now imprisoned in the castle of Corff, and his own castle and other possessions were seized into the king's hands[5]: but soon after the accession of Hen. III., they were fully restored to him on his returning to his allegiance.[6]

Early in the reign of King John he was married to the daughter of Richard Delfliet[7], by whom he had three sons, viz., Alan, who was taken prisoner with him, and Lambert, and Thomas, a clerk, both of whom are mentioned as applying to the king for his release.[8] Previously to, or soon after this event, his wife died; and his second marriage again involved him in disgrace. In 15 John, he had paid a fine of a thousand marks for having the custody of the daughters and heirs of Richard de Luci of Egremont, with their lands and marriage, reserving a reasonable dower for Ada his widow.

[1] Rot. de Finibus, 7 John, 338, &c.
[2] Rot. Pat. 10 John, 85.
[3] Rot. de Præstito, 205. 219. 212.; Rot. Chart. 14, 15, 16 John.
[4] Rot. Claus. i. 241.
[5] Rot. Pat. 164.
[6] Rot. Claus. i. 347.
[7] Rot. Cancell. 3 John, 193.
[8] Rot. Pat. 190. 194. 198.

Ada was daughter of Hugh de Moreville, a justice intinerant under Henry II., and one of the co-heirs of his large possessions.[1] Not contented with marrying Richard de Luci's daughters to his two sons Lambert and Alan, he no sooner obtained his liberty than, without applying for the king's license, he completed a marriage with Ada; thus securing to his own family the whole property both of the father and the husband. His rashness met immediate punishment in the seizure of all his lands in Cumberland, which were only restored by the ultimate payment of a large fine for his transgression.[2] By virtue of this marriage he obtained the office of forester of Cumberland, which was confirmed to him by the king; but from several mandates which appear, he seems to have been somewhat irritable and encroaching in the exercise of his jurisdiction.[3]

Holding now large possessions in those parts, he was, in 3 Henry III., 1219, appointed one of the justices itinerant in the counties of Cumberland, Westmoreland, and Lancaster.[4] His legal abilities were probably brought under observation by this appointment, as within five years afterwards he was raised to the bench at Westminster, on which he continued to sit until nearly the close of his life. The fines acknowledged before him extend from Easter 1224, 8 Henry III., to Easter 1236, 20 Henry III.[5]; and he took his duty as a justice itinerant into various counties till August 1234, 18 Henry III. In the earlier years he held a second or inferior station, but in January, 1227, 11 Henry III., he was placed at the head of one of the commissions, and again in the following August; and he retained this position in all his remaining circuits, except that in one instance, 16 Henry III., 1232, he

[1] Rot. de Finibus, 482.
[2] Rot. Claus. i. 354. 358. 366.; Excerpt. e Rot. Fin. i. 57.
[3] Rot. Claus. i. 513. 532.
[4] Dugdale's Chron Series.
[5] Dugdale's Orig. Jurid. 42.

was preceeded by Stephen de Segrave, who then was Justiciarius Angliæ. In 1235–6, 20 Henry III., Dugdale inserts him among the justices of the Common Pleas, the expression in the record being "Justiciarius de Banco;" and he adds, "Capitalis ut videtur."[1] The question, how far the former words applied exclusively to justices of the Common Pleas has been already discussed[2]; and the suggestion raised by the latter is difficult to be reconciled with the position ascribed to Robert de Lexinton about the same period; the more especially as there is no proof of Thomas de Muleton's acting in a judicial character after that year. The fact, also, that this is the date when he gave up the sheriffalty of Cumberland, which he had held from 17 Henry III., affords a presumption that his retirement from public life occurred about this period, when he must have been an old man. He lived, however, till 1240, 24 Henry III.

He was evidently of an impetuous disposition, somewhat covetous and overbearing, and disinclined to allow any obstacle to stand in the way of his ambition. Of his learning in the laws nothing remains for us to judge; but the proofs of his charity appear in his pious benefactions. To the monks of Calder he gave a moiety of the town of Dereham; to the monks of Holcotram, common of pasture for five hundred sheep in Lasingby; and to the hospital of St. Leonard in Skyrbec, in Lincolnshire, the whole of that lordship and the advowson of the church at Kirketon.

By his second wife Ada he had two children: Julian, who married Robert le Vavasour; and Thomas, who succeeded him, and obtained the barony of Gillesland by his marriage with Maud, the daughter and heir of Hubert de Vaux. The male issue of this family failed in 1313: but a daughter carried that barony to Ralph de Dacre. On the death of Thomas de Dacre in 1457, a dispute as to the succession arose between

[1] Chron. Series. [2] See antè, p. 170. et seq.

Jane, the daughter of his deceased eldest son, who had married Sir Richard Fienes, and her uncle Humphrey de Dacre, Thomas's second son; which was settled by King Edward IV., who summoned them both, designating the former simply as Lord Dacre, and the latter as Lord Dacre of Gillesland. The first of these titles has come in regular succession to the present lord; and the last, after falling into abeyance in 1569 among the three daughters of George Dacre, the fifth baron, was revived on April 20, 1661, in Charles Howard, the great-grandson of one of them, with the addition of the viscounty of Howard of Morpeth, and the earldom of Carlisle. The present peer is the sixth in succession.

The barony of Egremont, which Lambert, the son of Thomas de Muleton by his first marriage, obtained with his wife Anabel, one of the daughters of Richard de Luci, continued in his issue till the death of his great-grandson John de Muleton, in 1334, leaving no children; when it fell into abeyance among his three sisters and their representatives.[1]

MUSARD, RALPH.

JUST. ITIN. 1221.

RALPH MUSARD was the great-grandson of Hascoit Musard, a baron, who is recorded in Domesday Book as having large possessions in various counties. These were afterwards held by his son Richard, his grandson Hascoit, and then by this Ralph, who succeeded to them on the death of the latter, about 33 Henry II. In 17 John he was appointed Sheriff of Gloucester, an office which he retained till the end of 9 Henry III.[2] He adhered to King John during all his troubles, as is evident from the grants which were made to

[1] Nicolas's Synopsis of the Peerage; Fuller's Worthies.

[2] Rot. Pat. 148.; Rot. Claus. i. 276. 308., &c., 496.

him out of the forfeited lands.[1] Under Henry III. he was several times appointed a justice itinerant; namely, in 5 Henry III., in Worcestershire and eight other counties named in the commission; but he was only to act out of his own county, which was Gloucestershire[2]: in 10 Henry III., 1226, in Leicester and Warwickshire, and also in Worcestershire[3]: in January, 1227, 11 Henry III., in Herefordshire, Staffordshire, and Shropshire, and also in Oxfordshire[4]: and in August of the same year in Herefordshire and five other counties.[5]

He married Isabella, the widow of John de Neville, in 4 Henry III., without license of the king, whose pardon he procured by a fine of one hundred marks.[6] It would seem that she must have been his second wife, inasmuch as on his death, only ten years afterwards, in 14 Henry III., Robert, his son, was of full age, and entered on some of his father's lands without paying the customary fine, which, however, he eventually discharged, and was allowed to do homage for them.[7] The male line of the family failed on the death of Nicholas Musard in 1300, 29 Edward I.[8]

NEVILLE, GEOFFREY DE.

? JUST. ITIN. 1270.

GEOFFREY DE NEVILLE was the younger brother of the under-mentioned Robert de Neville, of Raby. In 54 Hen. III., 1270, he was appointed governor of Scarborough Castle, and seems to have succeeded his brother as warden of the king's forests beyond Trent, as he was in that year at the head of the justices itinerant for pleas of the forest in the northern

[1] Rot. Claus. i. 274.
[2] Ibid. ii. 151.
[3] Ibid. 218.
[4] Ibid. i. 476.
[5] Ibid. 205.
[6] Excerpt. e Rot. Fin. i. 43.
[7] Ibid. 198. 203.
[8] Dugdale's Baron i. 512.

counties.[1] In 8 Edward I., 1280, also, he sat at Blithworth, in Nottinghamshire, concerning forest matters.[2] He died in 13 Edward I., 1285, leaving by his wife Margaret, the daughter and heir of Sir John Longvillers, of Hornby Castle, in Lancashire, a son named John, the father of a long line settled at that place.[3]

NEVILLE, JOLLAN DE.

Just. Itin. 1234. Just. 1241.

Dugdale calls Jollan de Neville and his elder brother, John, the grandsons of Ralph de Neville, the founder of the priory of Hoton, in Yorkshire, and the sons of Hugh de Neville, whose prowess in slaying a lion in the Holy Land was recorded in this verse:

"Viribus Hugonis vires periere Leonis."[4]

By the entries on the rolls, however, it is manifest that they were the sons of another Jollan, who perhaps was the son of that Hugh, as he had livery of his property in the year, 1 John[5], which Dugdale fixes as the date of Hugh's death. This last-mentioned Jollan, the father, was connected with the Exchequer, the Rot. de Oblatis of 2 and 7 John containing entries that evidence his employment. He died in 9 John, when his son, John de Neville, fined 80*l.* for having livery of his lands.[6] John joined the discontented barons, and was taken prisoner[7]; but after making his peace with the king, died without issue in 4 Henry III., when his widow, Isabella, daughter of Robert de Meynill, became the married wife of Ralph Musard, and his brother Jollan, the

[1] Dugdale's Chron. Series.
[2] Thoroton's Nottinghamshire, i. 178.
[3] Dugdale's Baronage, i. 291.
[4] Dugdale's Baronage, i. 288.
[5] Rot. de Oblatis, 1 John, 25.; Rot. Pat. i. 12.
[6] Rot. de Oblatis, 113., &c.
[7] Rot. Claus. i. 278. 281.

subject of this notice did homage for his land in York, Lincoln, and Nottingham, and also for Shornes, in Kent.[1]

His first appearance in a judicial character is as a justice itinerant in the commission issued on August 1, 1234, 18 Henry III., into Yorkshire and Northumberland: and he again acted in the former county in 24 Henry III., Midsummer, 1240. But from Michaelmas, 1241, 26 Hen. III., to Hilary, 1245, 29 Henry III., he was present when fines were levied; and during the latter interval there are several instances of payments being made for writs of assize of novel disseisin to be taken before him[2]; plainly proving that he was then one of the superior justices at Westminster. In the course of the following year he died, as on October 19, 1246, 30 Henry III., Jollan, his son, had livery of his lands. This third Jollan was succeeded four years afterwards by his brother John.[3]

In Thoresby's Thoroton's Nottinghamshire[4], it is said that Jollan, the justice itinerant, married Amflicia de Roldeston; but as the context speaks of a grant made by him and her and their heir John to the priory of Thurgarton, it is palpable that she was the wife, not of the justicier, but of Jollan his father. In 29 Henry III., Jollan de Neville paid twenty marks for the king's assent to marry Sarah, the widow of John Heriz: but whether this is Jollan the justicier, or his son, is not quite clear.

The ancient record in the Exchequer, called Testa de Neville, containing an account of the king's fees throughout a great part of England, with inquisitions of lands escheated and lands held in grand or petit serjeanty, is traditionally reported to have received its name from, and to have owed

[1] Rot. Claus. i. 409. 490., ii. 43.

[2] Dugdale's Orig. 43., and Chron. Series; Excerpt. e Rot. Fin. i. 418. 422, 423. 426.

[3] Excerpt. e Rot. Fin. i. 464., ii. 73.

[4] Vol. iii. p. 102.

its existence to, Jollan de Neville: and he is generally spoken of as the justice itinerant. A question, however, may be fairly raised, whether this celebrated MS. is the work of the father or of the son. Dugdale and other genealogists were evidently ignorant that there were two of the same name; and adverting to the fact that the father was an officer in the Exchequer, it seems more likely that he should have made such a compilation than the son, of whom there is no proof that he ever was connected with that department, and who, neither in his capacity of justice itinerant, nor in that of justicier, which he held only for the last four years of his life, would be called upon to pay any peculiar attention to the king's revenue.

NEVILLE, RALPH DE, Dean of Lichfield, Bishop of Chichester.

Keeper, 1218. Just. Itin. 1225. Chancellor, 1226.

See under the Reign of John.

The precise relationship of Ralph de Neville to the baronial family of that name does not appear; but in a MS. account of his life in the chapter-books of the cathedral of Chichester, he is stated to have been born at Raby Castle, their seat, in the county of Durham.

The first mention of his name is in an entry on the patent roll of 15 John, in which it is stated that "the great seal was delivered to him at Windsor, on the 22d of December, 1213, to be held under the bishop of Winchester," Peter de Rupibus.[1] That prelate was then chancellor, during the absence from England of Walter de Grey, who, on his return, resumed the office; and on his resignation in the following June or October, was succeeded by Richard de

[1] Rot. Pat. 15 John, 107.

Marisco, who held the seal until the king's death. Ralph de Neville, therefore, was certainly not, as some state, chancellor during John's reign; and, notwithstanding the words used in the above entry, "sub Dom. Winton. Episc. deferendum," it is difficult to decide that he was at that time either keeper or vice-chancellor, because no charters were given under his hand during the short chancellorship of the Bishop of Winchester. After Walter de Grey was replaced in the office, and for three or four months after Richard de Marisco's appointment, Ralph de Neville did occasionally so sign them; but, I conceive, rather as an officer attached to the Chancery than as keeper of the seal, having any control over it. For the remaining eighteen months of John's reign, his name does not appear on the charters. The churches of Lutegareshall, Stratton, Ingham, Meringthorp, and Hameleden were successively given to him about this time; and in April, 1214, he was appointed Dean of Lichfield.[1]

On the accession of Henry III., Richard de Marisco continued chancellor, and Mr. Hardy has inserted Ralph de Neville's name as keeper of the seal under him, referring to several original letters written between the years 1218 and 1222, addressed to him as the king's vice-chancellor, and relating to his custody of the seal. It is difficult to ascertain precisely what were the duties which he performed. It appears, however, that in 3 Henry III., 1219, attorneys for Reginald de Braiosa, in some suits in which he was engaged, were named at the Exchequer before the treasurer and Ralph de Neville. And there are several entries in the close rolls of payments made through him, from which it would appear that he was connected with that department of the court.[2] Richard de Marisco was absent from England in 5 Hen. III., 1221, and it is probable that his duties as chancellor were

[1] Rot. Pat. 15 John, 113.

[2] Rot. Claus. i. 397. 405.

then performed by Ralph de Neville. There is a curious letter from the chancellor to him given in Lord Campbell's work, which, remonstrating for his suppression of the title of chancellor in the letters he had addressed to him, shows that the old man was somewhat apprehensive of being superseded by his disrespectful deputy.[1]

In 1222 he was appointed chancellor of Chichester, and on November 1 in the following year he was elected bishop of that see, but was not consecrated till the April 21, 1224. In the previous February the king presented him with four dolia of Gascon wine, and soon afterwards with a dozen bucks specially for his consecration feast, to which were added six more dolia of wine in the following October.[2] In that year he sat as a justicier in Shropshire with William de Houbrug.[3]

On the death of Richard de Marisco on May 1, 1226, 10 Henry III., the chancellorship became vacant. Although the date assigned by Dugdale and other writers to Ralph de Neville's appointment as chancellor is not till February 12, 1227, 11 Henry III., it is quite clear that his elevation occurred shortly after Richard de Marisco's death. In the grant to him of a market at Preston, in Sussex, dated June 28, 1226[4], he is expressly designated by that title; and there are charters under his hand in the following December.[5] The date of February 12, 1227, was that of the charter which he subsequently received, granting to him the Chancery for his life[6]; a charter which was renewed in the same terms on November 16, 13 Henry III., June 14, 16 Henry III., and May 4, 17 Henry III. There is also another charter, dated June 14, 16 Henry III., granting to him the custody of the great seal during his life, and enabling him to appoint

[1] Vol. i. p. 127.
[2] Rot. Claus. i. 585. 592, 593. 650.
[3] Excerpt. e Rot. Fin. 8 Henry III., i. 122.
[4] Rot. Claus. 10 Henry III., ii. 113.
[5] Rymer's Fœd. i. 183, 184.
[6] Rot. Chart. 11 Henry III., m. 28.

a deputy.[1] No cause is apparent for these renewals, and it is difficult to account for them otherwise than by his apprehensions lest the disgrace of Hubert de Burgh, which occurred about that time, might operate to his disadvantage; as there is no doubt he was chancellor during the whole period, and no want of the royal confidence had as yet been exhibited. On the contrary, he had been further gratified with the chancellorship of Ireland for life[2]; G. de Turville being appointed to act as his deputy there.[3]

On the death of Richard Weathershed, Archbishop of Canterbury, in 1231, Ralph de Neville was elected by the monks as his successor, and being approved by the king, was admitted into the temporalities. The pope, however, at the instigation of Simon de Langton that he was unlearned and hasty, and would endeavour to shake off the papal yoke, refused to confirm the election. It is on the other hand stated, that the bishop himself objected to assume the primacy, and that when applied to by the monks for the expenses of their journey to Rome, he declared that he would not contribute "obolum unum" for the purpose.[4]

In 1233 he was with the king when he was surprised and defeated by the Earl of Pembroke before the castle of Grosmont, in Monmouthshire, and was one of those who escaped "nudi fugientes omnia quæ sua erant amiserunt."[5]

Hitherto Ralph de Neville had continued high in the king's confidence; but on the arrival of the queen's uncle, William of Provence, Bishop of Valence, all the royal favours were bestowed on the foreign prelate and his connections. No doubt the chancellor joined in the dissatisfaction expressed by the barons; and Matthew Paris relates that the king attempted, in 1236, to remove him from the chancellorship.

[1] Rot. Chart. 16 Henry III., m. 8.
[2] Rymer's Fœd. i. 212.
[3] Ibid. 279.
[4] Ibid. 17 Henry III., m. 8.
[4] Rog. de Wendover, iv. 227.

Depending on the support of the barons, and conscious of their approval of his conduct in his office, he at once refused to resign, alleging that he had been entrusted with the office by the parliament, and could not quit it without their authority. But the royal indignation against him was greatly increased two years afterwards by his being elected Bishop of Winchester, where the king had earnestly desired to place his favoured relative. Henry not only induced the pope to annul the election, but took away the great seal from the bishop [1] and committed it to the custody of Geoffrey the Templar and John de Lexinton; reserving, however, to the bishop as chancellor the profits of the office. Matthew Paris adds that the king afterwards endeavoured to induce him to resume the seal, and on his refusal placed it in the hands of Simon the Norman.

It was not till 1242 that Ralph de Neville was restored to the king's favour, from which year till his death there are several documents to which his name is attached with the title of chancellor.[2]

That event occurred on February 1, 1244, 28 Henry III., at the magnificent mansion he had erected for the residence of himself and his successors, Bishops of Chichester, while in London. This house was situate "in vico novo ante Novum Templum," [3] now called Chancery Lane; and becoming afterwards the hospitium or inn of the Earls of Lincoln, was ultimately transferred to the students of the law, and is still designated by the name of its last possessor. The memory of the original founder is preserved in the name of the lane, corrupted from Chancellor's Lane, and in that part of the estate which alone remains to the see, and is now called Chichester Rents.

That Ralph de Neville was an ambitious man none can

[1] Rot. Pat. 22 Henry III., m. 2.
[2] Rymer's Fœd. i. 244. 253.
[3] Rot. Claus. i. 107.

deny; that he accumulated vast riches is equally certain; but that he misused the one, or that the other led him into degrading courses, there is no evidence. On the contrary, the highest character is given him by contemporary historians, not only for his fidelity to his sovereign in times of severe trial, but for the able and irreproachable administration of his office. He was as accessible to the poor as to the rich, and dealt equal justice to all.

To his church he was a signal benefactor; defending its rights on many occasions, obtaining various grants for its benefit, devoting large sums to the repairs of the cathedral, increasing the endowments of the dean and chapter, and bequeathing to his successors the estate he had purchased and the palace he had erected in London. Besides this, he built the chancel of the church of Amberley, and a chapel dedicated to St. Michael without the eastern gate of Chichester: and gave twelve quarters of wheat annually to the poor for ever, which, in the form of loaves, is still distributed at stated seasons among them.[1]

NEVILLE, ROBERT DE.

? JUST. 1219.

ROBERT DE NEVILLE was evidently a clerk in the Exchequer, as in 15 John he countersigned a mandate on the part of Richard de Marisco; to whom, in 18 John, he had letter of safe conduct to go and return, no doubt on the business of his office. Another charter is also countersigned by him in 3 Henry III. Madox gives the copy of a fine taken before him in the king's court, at Westminster, on the morrow of St. John the Baptist, in the latter year, in which he

[1] Mr. Bowchier's Account of the Bishops of Chichester, in the Chapter-books; Godwin de Præsul. 504.; Angl. Sac. i. 488.; Le Neve, 56. 63. 127.; Dugdale's Orig. Jurid 231.

is designated as a justicier. His name, however, does not appear in that character on any other occasion. He was, as was then usual with the officers of the Exchequer, an ecclesiastic, and in 16 John had letters patent of presentation to the church of Wigborough, in the diocese of London. He died about 14 Henry III., 1229, leaving a brother, Nicholas, who was permitted to pay the debt of 41*l.* and one mark, which he owed to the king, by annual instalments of twenty marks.[1]

NEVILLE, ROBERT DE.

? Just. Itin. 1262.

This Robert de Neville was of the noble house of Raby, being the son of Geoffrey de Neville, whose father, Robert Fitz-Maldred, Lord of Raby, married Isabel, the daughter, and ultimately the heir of the first Geoffrey de Neville. Robert de Neville had livery of his grandfather's lands in 38 Henry III., paying, besides his fine to the king, a sum of 15*l.* 6*s.* 3*d.* to the queen, in the nature probably of Aurum Reginæ.[2] In 45 Henry III. he was made warden of the king's forests beyond Trent, and in the next year, 1262, was at the head of the justices itinerant for the northern counties; the pleas, however, being confined to the forests.[3] He then was appointed captain-general of the king's forces in those parts, Sheriff of Yorkshire, and governor of the castles of York and Devizes. Although he for a time joined the rebellious barons, he contrived to regain the royal favour, and was afterwards entrusted with the custody of the castles of Pickering and Bamburgh. He died in 10 Edward I., 1282, having had, by his wife Ida, the widow of Roger

[1] Rot. Claus. i. 137. 383.; Rot. Pat. 129. 198.; Madox's Exch. ii. 43.; Excerpt. e Rot. Fin. i. 190.

[2] Excerpt. e Rot. Fin. ii. 185.

[3] Dugdale's Chron. Series.

Bertram, a son, named Robert, who died during his father's lifetime, leaving Ralph, his son, who succeeded to the barony. The third in succession from him was created Earl of Westmoreland in 1397; in which title the barony became merged till both were forfeited by the attainder of Charles Neville, the sixth earl, in 1570.

Richard Neville, the third son of the first Earl of Westmoreland, on his marriage with the heiress of the Earl of Salisbury, was raised to that title in 1442; and his son was created Earl of Warwick; but both the titles became forfeited by the attainder and death of the latter in 1471.

Edward Neville, the sixth son of the first Earl of Westmoreland, having married the heiress of the barony of Bergavenny, that title was borne by his issue till 1784, when the then baron was created Viscount Neville and Earl of Abergavenny, whose grandson is the present earl.

The earldom of Westmoreland was revived (with the barony of Burghersh) in 1624 in Henry Fane, the son of Mary Neville, the daughter and sole heir of Henry Neville, fourth baron of Bergavenny of that name; and the present earl is the eleventh in succession.[1]

NEWMARKET, ADAM DE.

JUST. ITIN. 1219.

ADAM DE NEWMARKET (Novo Mercato) held lands of the honor of Tickhill. He accompanied the king to Ireland in 12 John[2]; but in 15 John he appears to have been imprisoned in Corff Castle, probably for implication with the barons, and to have given his two sons, John and Adam, as hostages, who were released on the undertaking of

[1] Dugdale's Baronage, i. 291.; Nicolas's Synopsis of the Peerage; Burke's Peerage.

[2] Rot. de Præstito, 187., &c.

Saherus, Earl of Winchester.[1] That he succeeded in removing the suspicions against him may be presumed from his being in the next year appointed with three others and the Sheriff of Yorkshire to take an assize of morte d'ancestor between two parties in that county.[2] Under Henry III. he was employed as a principal landed proprietor in collecting the quinzime in Yorkshire[3]; and acted several times as a justice itinerant, viz., in 3 Henry III. in Lincoln, Nottingham, and Derby; in 9 Henry III. in the two latter counties; in 16 Henry III. not only in them, but also in Cambridge, Huntingdon, Essex, and Hertford; and again in 18 Henry III., in Yorkshire and Northumberland.[4] The date of his death does not appear; but that of his son John occurred in 31 Henry III., when he was succeeded by his son Adam[5], who was attached to the court in 49 Hen. III., as he was one of the witnesses to the grant of an allowance then made to Thomas de Cantilupe, the chancellor.[6]

NORFOLK, Archdeacons of. *See* Geoffrey de Bocland, Martin de Pateshull.

NORFOLK, Earl of. *See* Roger Bigot.

NORMANNUS, or DE CANTILUPE, SIMON, Archdeacon of Norwich.

? Keeper, 1238.

Simon Normannus, or the Norman, is sometimes called Simon de Cantilupe. He is stated to have been a great favourite of King Henry III., who gave him the archdeaconry of Norwich, and on the disgrace of Ralph de Neville, the chancellor, in 1238, placed the great seal in his

[1] Rot. Pat. 105.
[2] Rot. Claus. i. 203.
[3] Ibid. ii. 147.
[4] Ibid. i. 387., ii. 77.; Dugdale's Chron. Ser.
[5] Excerpt. e Rot. Fin. ii. 19.
[6] Madox's Exch. i. 76.

hands. He did not, however, retain its custody very long, for in the next year he was dismissed from his office and expelled the court.[1] He was also removed from all of his preferments, except the archdeaconry; and accordingly it appears that in August, 1241, the corn of the church of Rosington, which was of Master Simon Normannus, was ordered to be collected by the king's officers, and to be placed in barns.[2] The cause of his disgrace is represented to have been his refusal to seal a patent, granting to Thomas, Earl of Flanders, a tax of fourpence upon every sack of wool that was transported from England into his dominions.[3] Philipot says that he died in 1249, and Blomefield names his successor as archdeacon in that year.[4] There was a monk of Malmesbury of this name, who, in 18 John, 1216, brought to the king the fine of the abbot for having the town of Malmesbury at fee farm.[5]

NORTHAMPTON, ARCHDEACON OF. *See* JOHN DE HOUTON.

NORTHUMBERLAND, ARCHDEACON OF. *See* RICHARD DE MARISCO.

NORTHWOLD, HUGH DE, ABBOT OF ST. EDMUND'S; afterwards BISHOP OF ELY.

? JUST. 1228.

THE only appearance of Hugh de Northwold as a justicier is in Trinity Term, 12 Henry III., 1228, when fines were acknowledged before him.[6]

He was elected Abbot of St. Edmunds, having been previously a monk there, in 1214; but some objection was

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. i. 350.
[3] Philipot's Catal. 18.
[4] Blomefield's Norwich, i. 638.
[5] Rot. Pat. 187.
[6] Dugdale's Orig. Jurid. 42.; but he does not insert him in the Chronica Series.

evidently made by King John, for in August and December of that year there are entries of the king's appointment of Henry de Vere to appear for him before certain ecclesiastics whom he had nominated to decide the question; and it was not till June 11, 1215, that the king's consent was obtained.[1]

In January, 1229, 13 Henry III., he was elected Bishop of Ely; being only a few months after he had acted as a judge. He was consecrated on June 10, and held the see till his death, on August 9, 1254, a period of twenty-five years. His charity, his hospitality, his munificent expenditure in the erection of his church, and his splendid entertainment to the king and the nobles on its dedication in 1252, are the admiration of his contemporaries; and Matthew Paris, in speaking of his decease, says, "flos magistrorum obiit et monachorum, quia sicut Abbas Abbatum in Anglia extiterat, ita et Episcopus Episcoporum coruscavit." His remains were deposited in the presbytery of his cathedral.[2]

NORWICH, Archdeacon of. *See* Simon Normannus.
NORWICH, Bishop of. *See* William de Raleigh.

NORWICH, RALPH DE.

Just. 1230.

The signature of Ralph de Norwich appears to mandates in the sixteenth year of the reign of King John. He is called "clericum nostrum," in a safe conduct granted to him in 18 John, when he was sent to Ireland. There he was employed in matters relating to the Exchequer, frequently going thither during the first six years of the following reign; and being united with the chief justice there and the Archbishop of Dublin in assessing the aid in 4 Henry III. Various

[1] Rot. Pat. 124. 140. 142.

[2] Browne Willis's Mitred Abbeys; Godwin de Præsul. 255.

sums were allowed to him for his expenses; and in the latter year he had a grant of twenty marks per annum until he received some certain benefice. While in England during this period, he had the management of the duty on wool; and the lands of Eustace de Vesci, of Robert de Berkely, and of the Earl of Hereford, were successively committed to his charge. In 8 Henry III., he had the church of Acle in Buckinghamshire, and in the next year was parson of that of Brehull, in Oxfordshire.

After acting with Elyas de Sunning as justice of the Jews, he was constituted one of the "king's justices of the Bench," on April 29, 1230, 14 Henry III., and fines were levied before him till Hilary, 1234, 18 Henry III.[1]

NOTTINGHAM, ROBERT DE.

JUST. 1245.

FINES were acknowledged before Robert de Nottingham from Hilary to Midsummer, 29 Henry III., 1245[2], and a payment was made for an assize to be taken before him at the end of July in the same year.[3] It is probable that he then died, as no further mention occurs relative to him; and I have seen no records by which his personal history can be traced.

NOTTINGHAM, WILLIAM DE.

? JUST. ITIN. 1262.

THE family of de Nottingham seems to have been connected with the law. William de Nottingham is recorded twice as a justice intinerant into the northern counties; first in

[1] Dugdale's Orig. 43., and Chron. Series; Rot. Pat. 185.; Rot. Claus. i. 187. 298. 343 351., &c., 420. 423. 430, 431. 631., ii. 47. 62.

[2] Dugdale's Orig. Jurid. 43., and Chron. Series.

[3] Excerpt. e Rot Fin. i. 440.

46 Henry III., 1262, and then in 54 Henry III., 1270. On both occasions, however, the pleas were confined to subjects relating to forest matters.[1] He was sheriff or under-sheriff of Lincolnshire in 49 Henry III.[2] An advocate of this name is noticed in the Exchequer in 5 Edward II., 1312, as acting for the king.[3]

OKETON, JOHN DE.

Just. Itin. 1268. Just. 1269.

John de Oketon was a justice intinerant into the northern counties in 52 Henry III., 1268; in 53, into Cornwall and Devon; in 54, into Lancashire; and in 56, into Leicestershire[4], and is only noticed by Dugdale in that character. But from the very numerous entries on the fine roll from May, 1269, 53 Henry III., up to October 29, 1272, 57 Henry III., of payments made for assizes to be held before him, there can be little doubt that he was a regular justicier.[5] He held the office of Sheriff of Yorkshire in 44 Henry III., and for several subsequent years; and there is an entry in 52 Henry III., that he could not levy the ferm for the county, "propter turbationem regni."[6]

OLIVER, JORDAN.

Just. Itin. 1225.

Jordan Oliver was one of the knights of Somersetshire and Dorsetshire who were summoned before the barons of the Exchequer in 14 John for not keeping the fine which they had made with the king for having the sheriffs of those counties from among themselves.[7] This fine was made with William Malet on the king's part, and as he continued sheriff for four

[1] Dugdale's Chron. Series.
[2] Madox's Exch. i. 732.
[3] Excerpt. e Rot. Fin. ii. 490—588.
[4] Dugdale's Chron. Series.
[5] Fuller's Worthies.
[6] Madox's Exch. ii. 160.
[7] Rot. Claus. i. 131.

years, the knights probably thought that, as there were no symptoms of any of them obtaining the appointment, they were not called upon to perform their part. Certainly none of them enjoyed the office at that period; although Jordan Oliver, twenty-eight years afterwards, in 24 Henry III., held it for one year.[1] In 5 Henry III., he seems to have been one of the king's escheators for the county of Devon.[2] From the 9 Henry III., 1225, when he was appointed a justice itinerant for Somersetshire, he was several times called upon to perform the same duty; viz. in 11 Henry III.,1227, in Somerset, Dorset, Wiltshire, and Hampshire; in 17 Henry III., 1232, in Cornwall and Somersetshire; and in 22 Henry III., 1238[3], in Cornwall and Devonshire.[3]

OXFORD, EARL OF. *See* ROBERT DE VERE.

PASSELEWE, SIMON.

B. E. 1237.

SIMON PASSELEWE, probably brother of Robert, the king's deputy treasurer, was a justice of the Jews in 41 Henry III., 1237, and is introduced in that character among the barons of the Exchequer of that year; but in 52 Henry III. his name appears in the same list without that addition, but simply as a baron.[4] In the following year he attests a writ apparently in that character[5]: beyond which date no further record appears of him.

In 41 Henry III. he received a fine of one golden mark for a house in Lincoln, which had belonged to Vives de Norwico, a Jew, who was hanged for crucifying a boy, "ut dicebatur," as the record modestly adds.[6]

[1] Fuller's Worthies.
[2] Rot. Claus. i. 473.
[3] Rot. Claus. ii. 76. 205, 206.; Excerpt. e Rot. Fin. i. 239. 283.
[4] Madox's Exch. ii. 319, 320.
[5] Ibid. i. 727.
[6] Excerpt. e Rot. Fin. ii. 255.

PATESHULL, HUGH DE, Bishop of Lichfield and Coventry.

? Just. Angl. 1234.

As Dugdale, in his Chronica Series, introduces Hugh de Pateshull as chief justiciary in 18 Henry III., 1234, when Stephen de Segrave was disgraced, it is not deemed fit to omit his name in this collection, although the authority quoted (a passage in Matthew Paris) does not appear to authorize any such statement. That passage has been already extracted in p 152.; and goes no further than to show that he was then nominated treasurer in the place of Peter de Rivallis: an appointment which is proved to have been made by a patent of the same date.[1]

He was the son of Simon de Pateshull, the justicier in the last reign; and in his early life, probably just after his father's death, he joined the popular cry against King John, and lost his lands accordingly; which were, however, restored after the accession of Henry III., when he returned to his allegiance.[2] He obtained, no doubt from his father's connection with the court, a place in the Exchequer, and united, as was then common, the clerical profession with the performance of his official duties. In the former department he became a canon of St. Paul's[3]; and in the latter he was gradually advanced to that position in which he had the custody of the seal of the Exchequer, and the receipt of the revenue accounted for by the sheriffs[4]; a post which, if not at that time, was shortly afterwards distinguished by the title of chancellor of the Exchequer.

The date of the patent appointing him treasurer is June 1,

[1] Madox's Exch. i. 35.
[2] Rot. Claus. i. 340.
[3] Angl. Sac. i. 439.
[4] Appendix to Roger de Wendover, 309.

1234; and in the October following, he had a grant of one hundred marks annually for his support in the office, until the king otherwise provided for him. There are entries to show that he still continued to perform the duties in 22 Henry III.[1]; and there is no notice of any successor being appointed till 24 Henry III., 1240.

His retirement from the treasurership in the latter year would be accounted for by his election to the bishoprick of Lichfield and Coventry, to which he was consecrated on July 1, 1240. His short presidency over this diocese was terminated by his death, while yet comparatively a young man, on December 7, 1241.[2]

PATESHULL, MARTIN DE, ARCHDEACON OF NORFOLK and DEAN OF LONDON.

JUST. 1217.

MARTIN DE PATESHULL is stated by one authority to be a native of Northamptonshire[3], and by another of Staffordshire[4]; and there is a village of his name in both these counties. Whether he was connected with the family of Simon and Hugh de Pateshull, already noticed, or of Walter, the subject of the next article, nowhere appears.

During the reign of John he probably held some office in the court, as in the tenth year he was one of the witnesses to a charter of that king, the title of "clerk" being added to his name[5]; and in 17 John he had letters of safe conduct to come to the king[6], then in the midst of his troubles.

Very soon after the accession of Henry III. he was raised to the bench; for his name appears in the second year of

[1] Madox's Exch. ii. 35. 255. 317.
[2] Godwin de Præsul. 317.; Dugdale's Baron. ii. 143.
[3] Fuller's Worthies, ii. 166.
[4] Gentleman's Mag. for August, 1813.
[5] Rot. Chart. 180.
[6] Rot. Pat. 142.

that reign, 1217–18, not only at Westminster, when a fine was levied there[1], but also as a justice itinerant in York and Northumberland, and in other counties.

From this time until the end of his life, he was actively engaged in judicial duties, scarcely a year occurring in which he was not sent on various itinera. In 1224, he was one of the justices itinerant at Dunstable, whom Faukes de Breaute endeavoured to capture; but he was fortunate enough to escape.[2] From the next year, when he stands the first of those who were appointed in eight counties, he is in every subsequent commission mentioned in the same prominent position. Even if the division of the courts had then taken place, which is very doubtful, there is no other evidance that he was at the head of either branch.

The fourth report of the public records (App. ii. 161.) gives an amusing testimony to his activity in performing his legal functions. In a letter to the authorities, a brother justicier appointed to go the York circuit with him, prays to be excused from the duty, "for," says he, "the said Martin is strong, and in his labour so sedulous and practised, that all his fellows, especially W. de Ralegh and the writer" (whose name does not appear) "are overpowered by the labour of Pateshull, who works every day from sunrise until night." The writer therefore prays to be eased of his office, and allowed to go quietly to his church in the county of York, to which he had been lately presented, and to have letters of dispensation.

Martin de Pateshull had ecclesiastical benefices in the archdeaconry of Northumberland, the sixteenth charged on which, in 11 Henry III., 1226, was excused to him.[3] He

[1] Mr. Hunter, by a mistake arising from the damaged state of the fine, but which he has since kindly rectified, has inserted his name under 2 John, instead of 2 Henry III.

[2] Roger de Wendover, iv. 94.

[3] Rot. Claus. ii. 203.

was appointed archdeacon of Norfolk in the same year, and two years after he was raised to the deanery of St. Paul's, London, of which he had previously been a canon; but did not long enjoy his dignity, as he died on Nov. 14, 1229, 14 Henry III.

In October, 5 Henry III., he had forty marks for his expenses on his iter; and in the following July, fifteen marks more were given to him; but what his regular emoluments were, does not appear. He had permission to have fifty hogs in Windsor Forest, free of pasnage; and the king gave him twenty oaks from the forest of Pancet, "ad quendam rogum faciendum," and ten does from Rockingham Forest.[1]

Fuller quotes from Florilegus this character of him: "vir miræ prudentiæ, et legum regni peritissimus."[2]

PATESHULL, WALTER DE.

JUST. ITIN. 1218.

THE residence of Walter de Pateshull was in Bedfordshire, and the only notice that occurs of him in a judicial character is in 3 Henry III., when he was one of the justices itinerant for that and the neighbouring counties.[3] On the disgrace of Faukes de Breaute in 8 Henry III. he was appointed Sheriff of Bedfordshire and Buckinghamshire, and under the direction of him and Henry de Braybroc, the captured judge, the castle of Bedford was demolished. He retained the sheriffalty for four years, and Fuller calls him Walter de Pateshull of Accestane.[4] His death occurred in August, 1232, 16 Henry III.[5]

[1] Rot. Claus. i. 471. 504. 515., ii. 63. 87.
[2] Fuller's Worthies, Northamptonshire, ii. 166.; Le Neve, 182. 219.
[3] Dugdale's Chron. Series.
[4] Rot. Claus i. 581. 632.; Fuller's Worthies, Bedfordshire.
[5] Excerpt. e Rot. Fin. i. 225.

PAUNTON, JAMES DE.

JUST. 1270.

JAMES DE PAUNTON'S family was settled in Lincolnshire, of which county his father William was sheriff in 50 and 51 Henry III., and he himself in the four following years.[1] He was constituted a justice of the king's bench in 55 Hen. III., 1270; but the only entry respecting his tenure of office is the grant in that year of a salary of 40*l.*[2] He died almost immediately after his appointment; for in 1 Edward I., Philip de Paunton, probably his son by Isabella his wife, obtained an extent in aid against those who owed James money, to pay his debts to the crown. This Philip was sheriff of the counties of Derby and Nottingham in 22 Edward I.[3]

PERCY, PETER DE.

JUST. ITIN. 1256. JUST. 1257.

THE name of Peter does not appear on the pedigrees of the Percys in either Dugdale or Collins, but he probably was a branch of that noble family, and was certainly a native of the North. Dugdale only notices him once as a justice itinerant in 40 Henry III., 1256[4]: but from the numerous entries in the Rotulus de Finibus of payments made for assizes before him, it is apparent that he was a regular justicier. They commence about October 20, 1257, 41 Hen. III., and continue uninterruptedly till January, 1263, 47 Hen. III.[5] After that date there is no further mention of him until April 30, 1267, 51 Henry III., when his son Robert does homage for the lands his father held in capite.[6]

[1] Fuller's Worthies.
[2] Dugdale's Chron. Series.
[3] Madox's Exch. ii. 173. 194.; Abbrev. Placit. 199. 233. 312.
[4] Dugdale's Chron. Series.
[5] Excerpt. e Rot. Fin. ii. 263—388.
[6] Ibid. 456.

PERSHORE, ABBOT OF. *See* ELERIUS.
PETER, ABBOT OF TEWKESBURY.

JUST. ITIN. 1225.

THE Abbot of Tewkesbury is added to the list of justices itinerant for the county of Gloucester in 9 Henry III., 1225. Peter, formerly a monk of that house, was then the abbot. He was unanimously elected to that dignity in 1216, and received King John's assent on May 27. His name does not again appear in a judicial character, and he died in 1232.[1]

PETERBOROUGH, ABBOTS OF. *See* ALEXANDER DE HOLDERNESS, JOHN DE CALETO.
PINCERNA, NICHOLAS. *See* BOTELER.
PLANTAGENET, JOHN. *See* J. DE WARENNE.

PLESSETIS, JOHN DE, EARL OF WARWICK.

JUST. ITIN. 1251.

AMONG the six justices assigned in 35 Henry III., 1251, to hold the pleas of the city of London, which were usually tried before the justices itinerant, the name of John de Plessetis, Earl of Warwick, stands second, following that of the Bishop of Salisbury; and the other four being regular justiciers.[2] This is the only time in which he appears in a judicial position; and he held it then no doubt in his character of Constable of the Tower, where the sittings were to take place.

He was Earl of Warwick for life only, in right of Margery, his second wife, the sister and heir of Thomas de Newburgh, the last earl. His marriage with her was obtained for him

[1] Rot. Claus. i. 271., ii. 76.; Rot. Pat. 184.; Willis's Mitred Abbeys, i. 185.
[2] Dugdale's Chron. Series.

by the king in addition to numerous other favours by which he had been raised from a comparatively low origin to a high position in the court.[1]

He was a Norman by birth, and is first[2] named in 11 Henry III., 1227, as the last of four to whom the sum of 60*l.* is given for their support in the king's service. The three others are Hugh de Plessetis, Nicholas de Bolevill, and Drogo de Barentin; whom the king often describes as his knights[3], and who, from 6 Henry III., are always introduced *together*, receiving various payments for their services, and in one instance being paid two marks each for their wages. So late as 23 Henry III., 1239, Drogo de Barentin and John de Plessetis are by the same grant excused their scutage and other debts, because they were with the king in the army of Kerry.[4] They were all evidently servants in the king's household, and each partook of the king's generosity. The last time Hugo de Plessetis is mentioned is in the above entry of 11 Henry III. He was probably the father of John, whom he introduced into the position he had himself held.

John de Plessetis advanced rapidly in the king's good graces; and for his services in the Welsh wars received ample rewards. He was appointed governor of Devizes, warden of Chippenham Forest, and Sheriff of Oxford; had grants of the wardship of various minors, with the custody of their lands[5]; and to raise his fortune to the highest point, the king took such measures that Margery, the sister and

[1] Dugdale's Baronage, i. 772.

[2] The name of J. de Plessito occurs in 9 John, 1207 (Rot. Claus. i. 99. 102.), as countersigning two royal mandates dated from different places. It is not impossible that he may have been the same person, and may, as a young man, have held some official position about the court of King John.

[3] Rot. Claus. ii. 202.

[4] Rot. Claus. i. 500. 599., ii. 6. 8. 17. 34. 107. 129. 131.

[5] Excerpt. e Rot. Fin. i. 319, 320. 322. 328. 333. 362. 409.

heir of the Earl of Warwick, whose first husband, John Mareschall, had lately died, did not venture to refuse him as her second. He married her accordingly in 1243, but did not assume the title of Earl of Warwick until he had obtained the consent of William Malduit, the presumptive heir to the earldom in the event of the countess's death, that he should enjoy it for his life if he survived her. This occurred in Hilary, 31 Henry III., after which he adopted the title of earl.

He had been appointed constable of the Tower of London in 28 Henry III., and the remainder of his life is chiefly remarkable for the liberal proofs he received of the king's favour, and for his steady adherence to his royal master. After attending the king into Gascony, and the conclusion of the truce there, he was, in 38 Henry III., treacherously seized by the people of Pontes, in Poictou, notwithstanding a safe conduct from the King of France, and cast into prison, whence he was not released till the following year. In his last years he saw the commencement of the troubles between the king and the barons, during which, in 45 Henry III., he was entrusted with the sheriffalty of Warwick and Leicester. He died in the midst of them, on February 26, 1263, 47 Henry III., having survived the countess his wife.[1] Her heir, William Malduit of Hamslep, did homage for her lands and honours in the following April; and at the same time Hugh de Plessetis, the son of John by his first wife, Christian, the daughter and heir of Hugh de Sanford, did homage for his father's baronies of Okenarton and Kydelington, and for the manor of Suttesdon, all in Oxfordshire, which were of her inheritance.[2] Hugh's son Hugh was summoned to parliament till 27 Edward I., 1299, but not afterwards; so that nothing is related of his descendants.[3]

[1] Dugdale's Baronage, i. 772.
[2] Excerpt. e Rot. Fin. ii. 395, 396.
[3] Nicolas's Synopsis of the Peerage.

POER, WALTER LE.

Just. Itin. 1226.

It is evident that Walter le Poer, or Poher, was in some way engaged in the service of King John. In February, 1215, he was sent with W. de Cantilupe, Stephen de Segrave, and William de Ardern, into Worcester to explain the king's affairs; and in the following August was employed with Thomas de Erdington to make an extent on the manor of Budiford in Warwickshire, and on that of Sukeleg in Worcestershire, for the use of Llewellyn. The county of Devon was committed to his charge as sheriff, in 6 Henry III., 1222; and in 19 Henry III., he was one of those appointed to collect the quinzime in Worcestershire. In the same year, 1226, he was nominated a justice itinerant into Gloucestershire; and in the early part of the following year into the counties of Oxford, Hereford, Stafford, and Salop: after which the published records contain no information relative to him.[1]

POORE, RICHARD, Bishop of Chichester, Salisbury, and Durham.

Just. Itin. 1218.

This prelate appears once only in the character of a justice itinerant, being, as Bishop of Salisbury, at the head of those who, in 3 Henry III., 1218, were appointed for Wiltshire, Hampshire, Berkshire, and Oxfordshire.[2]

He was born at Tarent, in Dorsetshire, and was made Dean of Salisbury in 1197, 8 Richard I., from which he was raised to the bishoprick of Chichester, on January 7, 1215, 16 John. His translation to Salisbury occurred about June,

[1] Rot. Pat. 16 John, 128.; Rot. Claus. i. 226. 499., ii. 146. 151. 205.

[2] Dugdale's Chron. Ser.

1217, 1 Henry III., and during the time that he held that see, he undertook the removal of the cathedral church from Old Sarum, commencing the present magnificent building in 1219. The close rolls contain many royal grants of timber and other materials to aid this erection, to the progress of which he devoted the next nine years. Its completion, however, which occupied thirty years, he left to his successors, as he was advanced to the see of Durham, in May, 1228. There he presided for nine years; and died on April 15, 1237, with the character of a man of extraordinary sanctity and profound science. He founded a hospital for the poor at Salisbury, and greatly endowed a convent at the place of his birth; in the latter of which his heart was deposited, his body being interred in Salisbury Cathedral.[1]

PORTESEYE, ADAM DE.

JUST. ITIN. 1225.

AMONG the justices itinerant for the county of Hants, in 9 Henry III., 1225, is the name of Adam de Porteseye; but no other mention is made of him, except that he was also appointed in the next year to assess the quinzime for that county.[2]

POTERNA, JAMES DE.

JUST. 1216.

See under the Reigns of Richard I. and John.

THE period during which James de Poterna acted as a justicier, as proved by the fines levied before him, extended from 9 Richard I., 1197[3], through the whole of the reign of

[1] Godwin de Præsul. 343. 504. 740.; Dugdale's Monast. v. 619.

[2] Rot. Claus. ii. 76. 147.

[3] Dugdale, by mistake, calls him Thomas in this year.

John.[1] His name also appears on various itinera within the same time: and on one occasion he incurred a fine of one hundred marks for granting leave to settle a cause without the king's license; which was, however, afterwards remitted.[2] He was continued in his judicial position under Henry III., in the third year of whose reign he was one of the justices itinerant into Wiltshire, Hampshire, Berkshire, and Oxfordshire.

In 1200, 2 John, he was under-sheriff of York to Geoffrey Fitz-Peter, and was the principal instrument in despoiling the archbishop's lands and goods when he refused to pay the cornage imposed by the king. For his severity in the performance of this duty, he was introduced by name into the sentence of excommunication fulminated by the irritated prelate.[3] In 5 John, the county of Wilts was committed to his charge; and in the next year, the manor of Wellop, in Hampshire, was given to him for his support.[4] This manor, in 17 John, the sheriff was ordered to deliver up to Roger Elys, "si Jacobus de Poterna non sit ad servicium nostrum;" showing that in that troublesome period his fidelity was suspected.[5] It would appear that he soon cleared himself, for the property was subsequently in his possession; and in 2 Henry III., 1218, he was entrusted with the custody of the lands of Richard de Neville, in Wiltshire, until the king should otherwise order.[6]

He died in the 5th or 6th Henry III., as in the February of the former year he was excused his scutage, and in the February of the latter he is spoken of in the past tense.[7]

[1] Fines of Richard I. and John; Abbrev. Placit. 83.
[2] Rot. Claus. 9 John, i. 114.
[3] Roger de Wendover, iii. 154. note.
[4] Rot. Claus. i. 8.
[5] Ibid. 232.
[6] Excerpt. e Rot. Fin. i. 15.
[7] Rot. Claus. i. 475. 487

POYWICK, WILLIAM DE.

JUST. ITIN. 1262. ? JUST. 1266.

MASTER William de Poywick, or Powyk, is the last on the list of justices itinerant who visited the counties of Huntingdon, Buckingham, and Northampton in 46 Henry III., 1262, and he acted in the next year also.[1] The title attached to his name shows that he was of the clerical as well as the legal profession. Shortly afterwards, he was employed to extend certain lands held in dower by Maud, Countess-dowager of Gloucester and Hertford, which were in dispute between her and Gilbert, the then earl.[2] In 50 Henry III., he seems to have been raised to the bench, for from July, 1266, till August in the following year, there are entries of no less than eleven writs of assize to be held before him.[3] After the latter date his name does not appear.

PRESTON, GILBERT DE.

JUST. ITIN. 1240. JUST. 1242.

See under the Reign of Edward I.

RALEIGH, WILLIAM DE, TREASURER OF EXETER; afterwards BISHOP OF NORWICH AND WINCHESTER.

JUST. 1228.

WILLIAM DE RALEIGH, sometimes called de Radley, was a native of Devonshire. He was brought up to the church, and in 14 John was presented by the king to the living of Bratton, in the archdeaconry of Barnstaple.[4] He pursued at the same time the study of the law; and it is as difficult to distinguish him from, as to identify him with persons bearing

[1] Dugdale's Chron. Series.; Fifth Report Pub. Rec., App. ii. 16.
[2] Madox's Exch. i. 101. [3] Excerpt. e Rot. Fin. ii. 440—459.
[4] Rot. Pat. 93.

the same name, and flourishing at the same period. There is, for instance, a William de Raleigh, who, being coroner, was raised in 9 Henry III. to the sheriffalty of the county of Devon.[1] There is nothing to show distinctly that he was the same man; but either office might have been held by him, as a clergyman, or an officer of the court. In the next year he was one of those appointed to collect the quinzime in Lincolnshire, and in the following to assess the tallage in Cumberland and Northumberland[2]; duties to which he was probably called in consequence of his experience in the law. They were, perhaps, intended as precursors to his nomination as a justicier at Westminster, which took place soon after. Fines were levied before him in this character from Michaelmas, 13 Henry III., 1228, till 18 Henry III., 1234; during which time he also performed the duties of a justice itinerant in the years 1229, 1231, and 1232.[3] There are instances likewise of parties paying fines for writs to take assizes of novel disseisin before him in 19 Henry III., 1235[4]; beyond which date there is no evidence of his acting as a judge. In 1237 he was employed to open the parliament, and by his eloquence to induce the barons to grant a subsidy to the king.[5]

His clerical preferment proceeded at the same time; he was appointed a canon of St. Paul's and of Lichfield, and treasurer of Exeter Cathedral. So high was his character both as an ecclesiastic and a lawyer, that he was soon after elected to two bishopricks, those of Lichfield and Coventry, and of Norwich, the latter of which he accepted, and was consecrated on September 25, 1239. Almost immediately afterwards, the chapter of Winchester, on the death of Peter de Rupibus, selected him as his successor, in opposition to the king, who

[1] Rot. Claus. ii. 67. [2] Ibid. 146. 208.
[3] Dugdale's Orig. Jurid., and Chron. Series.
[4] Excerpt. e Rot. Fin. 286. [5] Rapin, iii. 55.

wanted to force upon them William of Valence, his wife's uncle. The chapter were, however, forced to proceed to a new election; but their next choice, Ralph de Neville, being equally obnoxious to the sovereign, it was also made void, and the see remained vacant for three or four years longer. The monks then proceeded to a third election, when, persisting in the nomination of William de Raleigh, their choice was confirmed by the Pope on September 13, 1243. Though the new bishop was compelled to avoid the indignation of the king by retiring into France, he succeeded at last, by the intercession of the Pope and of Archbishop Boniface, in procuring the royal concurrence, and was accordingly enthroned in the cathedral on November 20, 1244. For the interference of the Pope he is reported to have paid no less a sum than six thousand marks, and is foolishly supposed to have expected the pontiff to return him a part of the bribe. It is somewhat incredibly added, considering the richness of the see, that for the remainder of his life his means were distressed by the extravagance of the offering. In 1249, he retired to Tours, where he died in September of the following year, and was buried in the church of St. Martin in that city. Some letters addressed to him by Robert Grossetete, Bishop of Lincoln, are extant.[1]

RAMSEY, ABBOT OF. *See* HUGH FOLIOT.

RANDOLPH, ABBOT OF EVESHAM.

JUST. ITIN. 1221.

RANDOLPH was prior of Worcester at the time he was appointed abbot of Evesham; and the royal assent to his election

[1] Fuller's Worthies; Prince's Worthies of Devon; Godwin de Præsul. 219. 316. 430.; Brown's Fascicul. 316.

was given on January 24, 1214, 15 John. The only occasion on which he acted as a justice itinerant was in 5 Henry III., 1221, when he and the Abbot of Reading were placed at the head of the commission for nine counties. He died on January 16, 1229.[1]

READING, ABBOT OF. *See* SIMON.

REINGER, JOHN.

B. E. 1258.

JOHN REINGER, or Renger, was the eldest son of the undernamed Richard; and when his father was Sheriff of London, in 6 Henry III., he and his brother Matthew were delivered as pledges for the peace of that city.[2] Madox introduces him as a baron of the Exchequer in 42 Henry III., but I have not discovered anything further concerning him in that character.[3] In 52 Henry III., he proceeded against Stephen Bukerel for taking away his goods and chattels from his houses in "Enefeud, Edelmeton, Mimmes et Stebeneth," in Middlesex.[4]

REINGER, RICHARD.

? JUST. 1230.

RICHARD REINGER, or Renger, was an alderman of London, serving the office of sheriff in 5, 6, and 7 Henry III., and that of mayor in the four following years. During part of this time the king committed the chamberlainship of the city to him and John Travers; and in 11 Henry III. he had a grant of the Queen's Hithe (Ripa Reginæ) to hold at 40*l.* a year. About the same time he and Alexander de Dorset had

[1] Browne Willis's Mitred Abbeys; Rot. Claus. i. 162. 476.
[2] Rot. Claus. i. 517. 569.
[3] Madox's Exch. ii. 319.
[4] Abbrev. Placit. 175.

the custody of the mint of London: but in 13 Henry III. it was transferred, together with that of Canterbury, to him alone, for four years, at an annual rent of seven hundred marks. It was while he held this office that he acted as a justicier; fines being levied before him from Hilary, 14 Hen. III., 1230, till Easter, 1231. There is a record showing that he was still alderman in 19 Henry III. He died soon afterwards; and in 23 Henry III., his above-noticed son John was permitted to pay his father's debts to the crown by instalments of 20*l.* a year, instead of 40*l.* as before directed.[1]

REINY, JOHN DE.

JUST. ITIN. 1225.

JOHN DE REINY, or Reingny, was the son of a knight of the same name to whom the manor of Hemmeston in Devonshire belonged, and who bore arms against King John.[2] His mother, in 6 Henry III., married Nicholas de Heaulton without the king's license[3]; and he was placed under the wardship of Warin Fitz-Joel, mentioned in a previous page.[4] His minority must have terminated in, or previous to, 9 Henry III., 1225, as in that year he was appointed one of the justices itinerant for Somersetshire[5], in which county also he had property. No other mention is made of him till 30 Henry III., 1246, when his executors are allowed to have administration of his property.[6]

[1] Stow's Survey; Rot. Claus. i. 517. 526. 529. 542. 579., ii. 21. 84. 128. 138. 194.; Madox's Exch. i. 709. 738. 777. 781., ii. 134.; Excerpt. e. Rot. Fin. i. 323.

[2] Rot. Claus. i. 270.

[3] Excerpt. e Rot. Fin. i. 88.

[4] Ibid. 89.; Rot. Claus. i. 547. 577., ii. 4.

[5] Rot. Claus. ii. 76. Dugdale, in his Chronica Series, by mistake calls him Beingny.

[6] Excerpt. e Rot. Fin. i. 460.

REYGATE, JOHN DE.

? Just. 1269.

See under the Reign of Edward I.

RICHMOND, Archdeacon of. *See* R. de Marisco.

RIPARIIS, ROBERT DE.

Just. Itin. 1252.

Robert de Rivers (Rivers) is recorded once as a justice itinerant in 36 Henry III., 1252, into Berkshire, Oxford, and Northampton[1]; and as the under-noticed Walter lived in the first-named of these counties, it is not unlikely that Henry was his son, and that both in succession were placed in the commission on account of their residence within it.

In 45 Henry III. there is the entry of a capias in Yorkshire obtained by Robert de Ripariis, Katerina, his wife, and Sibilla, her sister; and three years afterwards he is mentioned as one of the executors of Robert de Veteriponte.[2]

RIPARIIS, WALTER DE.

Just. Itin. 1218.

No further notice occurs of Walter de Ripariis (Rivers), than that he was one of those appointed in 1 Henry III. to assess and receive the hidage of Berkshire.[3] His possessions in that county were no doubt the cause of his being selected to act as a justice itinerant in it in 3 Henry III., Wilts, Hants, and Oxford being joined in the same commission.[4]

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 352. 410.
[3] Rot. Claus. i. 306.
[4] Dugdale's Chron. Series.

RIVALLIS, PETER DE.

? KEEPER, 1249. B. E. 1250.

PETER DE RIVALLIS, or de Orivallis, as he is sometimes described in the records, was a Poictevin by birth, and Roger de Wendover plainly calls him the son of Peter de Rupibus, Bishop of Winchester. Other writers more delicately describe him as the nephew of that powerful prelate; and of course he is so designated in any record where their connection is alluded to. Whatever was the real relationship, he soon experienced the benefit arising from such patronage. So early as 6 John, 1204, that king presented to him, by the name of "Peter de Rivallo, clerk, the nephew of his faithful and beloved clerk, Peter de Rupibus, precentor of the church of Lincoln," all the churches which Gilbert de Beseby, deceased, held in Lincolnshire of his donation.[1] Although it is not so expressed in the patent, yet the application to the bishop for his admission "per procuratorem suum," is so peculiarly worded as to lead to a supposition, as the fact probably was, that the intended incumbent was below the canonical age. He is not mentioned during the remainder of that reign; but in 3 Henry III., 1218, he was one of the king's chamberlains, and was a clerk in the wardrobe; in which character, for the next five years, there are numerous entries on the close rolls of money received and disbursed by him for the king's expenses, the gradual increase of which, both in number and amount, is a sufficient evidence of the royal extravagance.[2] In 1232 he is recorded as custos of the escheats and wards[3]; and in the next year, his patron, the Bishop of Winchester, having attained a complete ascendancy over the royal mind, procured for him the high

[1] Rot. Pat. 43.

[2] Rot. Claus. i. 383. 391. 410., &c.

[3] Excerpt. e Rot. Fin. 16, 17, 18 Henry III., i. 225—252.

appointment of treasurer, on the removal of Ranulph Brito, the friend and follower of the chief justiciary, Hubert de Burgh.[1] About the same time he signed himself "Capicerio Pictaviæ."[2] He now so effectually ingratiated himself with the king, that to this high office several others of great responsibility and emolument were added; among which were those of custos of the forests, and of most of the castles in England. But the dismissal of the old ministers, and the substitution of Poictevins for all the former officers, naturally disgusted the nobles and the people, and led to a reaction, which produced the disgrace of the bishop, his father, in April, 1234, and his own expulsion from court, with a threat that, if he did not resume the tonsure, he should lose both his eyes. He fled with the bishop to Winchester; but, being summoned before the king to render an account of his ministry, he appeared "in habitu clericali cum tonsura et lata corona." His answers were so unsatisfactory, that he was made to give up all his possessions, and was sent to the Tower of London; from which, however, he was shortly released by the Archbishop of Canterbury, and allowed to return to his sanctuary at Winchester. From this retirement he was suddenly recalled in 1236, and, notwithstanding all his former offences, was restored to the royal confidence.

It does not appear that he was placed in any prominent office, and the death of the Bishop of Winchester, in 1238, would no doubt diminish his influence. But he resumed his original duties in the wardrobe, of which he was appointed keeper; and in 1251, 35 Henry III., he had a quittance from all debts and accounts to be rendered to the king from the time he first had the custody of the wardrobe till that date.[3]

[1] Madox's Exch. ii. 34.
[2] Ibid. i. 65.
[3] Ibid. ii. 230.

It was probably in this character that the great seal was committed to him in conjunction with William de Kilkenny in 1249, when John de Lexinton retired from court; the wardrobe being a usual place of depositing the seal, when the chancellorship was vacant. There is nothing to show that Peter de Rivallis was concerned in the Chancery, nor that he acted in the office.

In February, 1249, 39 Henry III., we find him one of the king's council sent to receive the tallage of the city of London[1]; and in 1256, 1257, and 1258, there are various entries showing his continued connection with the wardrobe.[2]

He was constituted a baron of the Exchequer on July 16, 1255, 37 Henry III.[3], and he is so called in a suit brought by his clerk in 42 Henry III.[4] Matthew Paris relates that about Michaelmas, 1257, he was again appointed treasurer of the chamber on the death of Hurtaldus[5]; but probably soon after died, as the last notice of his name occurs in a royal grant to him in May, 1258, 42 Henry III., of a piece of land in Winchester.[6]

ROCHESTER, BISHOPS OF. *See* BENEDICT DE SANSETUN, WALTER DE MERTON.

ROKELE, ROBERT DE.

JUST. 1234.

THE family of Rokele, according to Hasted, originally came from Rochelle, in France, and were settled in the county of Kent, where they held the manor of Beckenham. In another

[1] Madox's Exch. i. 712.
[2] Excerpt. e Rot. Fin. 41 & 42 Henry III., ii. 245—275.
[3] Dugdale's Chron. Series. [4] Madox's Exch. ii. 17.
[5] Holinshed, ed. 1808, iv. 289.
[6] Excerpt. e Rot. Fin. ii. 279.; Philipot's Cat. of Treasurers, 9.; Roger de Wendover, iv. 244—313.; Rapin.

place, however, he says, that they received their name from the parish of Rokesle (now Ruxley) in that county. The latter seems the more probable account; for it appears that Robert de Rokele had land in Rokesle, which, in consequence of his joining the insurgent barons, and being taken prisoner in Rochester Castle in 17 John, was forfeited with his other possessions, among which was the manor of Westwood. His mother, Margaret de Modingden, negotiated his release, which she succeeded in procuring in the following May; and on the payment of a fine of five hundred marks the Sheriffs of Essex, Kent, and Sussex were directed to restore his lands to him: his two sons, Henry and Richard, becoming hostages for his good behaviour.[1]

In 18 Henry III., July 6, 1234, Robert de Lexinton and William of York were commanded to admit him as one of the king's justices of the bench[2]: but he does not appear to have joined any of the circuits.

His death occurred about 1248, 32 Henry III., on August 18 in which year, his two sons having died in his lifetime, the lands he held in capite were divided between Henry Fitz-Martin and Christiana de Plumbergh, his next heirs, on a fine of 6*l.* 5*s.*[3]

ROMSEY, NICHOLAS DE.

JUST. ITIN. 1255.

OF Nicholas de Romsey little can be gleaned except that he performed the functions of justice itinerant four several times; in 39 and 40 Henry III., 1255–6, probably on both occasions, but certainly on the last, taking pleas of the forest only, in

[1] Rot. Pat. 161. 172. 179. 193. 199.; Rot. de Finibus, 596. 604.; Rot. Claus. i. 267.

[2] Dugdale's Chron. Series.

[3] Excerpt. e Rot. Fin. ii. 40.; Hasted's Kent, i. 529., ii. 134.

various counties. The other two were in 46 and 53 Hen. III., 1262–9.[1] In 52 Henry III., 1267–8, he and Walter de Burges were employed to collect the issues of the bishoprick of Winchester, in the short vacancy previous to the election of Nicholas of Ely to that see.[2]

ROMSEY, WALTER DE.

JUST. ITIN. 1225.

THE forests of Hampshire were, in 8 Henry III., 1224, in the custody of Walter de Romsey; and it was no doubt under this character that he was appointed one of the justices itinerant for that county in the next year.[3] He became sheriff not only of that county but also of Wiltshire in 13 Henry III.; and was afterwards fined one mark for receiving monies in the latter by summons from the Exchequer which he did not account for at the time.[4] He had a son named John, who had a grant for life of the manor of Sidmanton, in Hampshire, from the Abbess of Romsey.[5]

ROS, ROBERT DE.

JUST. 1234.

ROBERT DE ROS was the second son of Robert de Ros, Lord of Hamlake, in Yorkshire, and of Isabel, the daughter of William the Lion, King of Scotland. His father, on his death in 11 Henry III., gave him the barony of Werke, in Northumberland, with the castle which he had founded there, and a barony in Scotland. In the following year he and his elder brother, William, who had succeeded to Hamlake and

[1] Dugdale's Chron. Series.
[2] Madox's Exch. i. 719.
[3] Rot. Claus. i. 605. 611. 635., ii. 76.
[4] Fuller's Worthies; Madox's Exch. ii. 234.
[5] Excerpt. e Rot. Fin. 40 Henry III., ii. 240.

the rest of the property, discharged the abbot and monks of Rivall of a debt of two hundred and fifty marks, which had been claimed from them by their father's executors.[1]

In 18 Henry III. he was, by a writ dated July 6, 1234, associated with the justices of the bench, who were commanded to admit him among them on taking the oath faithfully to perform its duties. In August of that year he was appointed a justice on three iters, one into Lincolnshire, another into York and Northumberland, and the third into Lancashire.[2]

Three years afterwards he was constituted chief justice of the forests in the northern counties; and so continued, at least till 28 Henry III. He then retired to Scotland, where, with John de Balliol, he had the guidance of that kingdom; and being charged with severely and improperly treating Queen Margaret, the wife of Alexander, King of Scotland, and sister of Henry III., the latter sent his forces there to restore her to her rights, and imposed a fine upon him of one hundred thousand marks; but its payment was eventually remitted. Dugdale goes on to relate that, in 22 Edward I., 1293, he was summoned to give the king counsel, and that he went to Portsmouth with horse and arms to join the expedition to Gascony; and further, that, in 24 Edward I., 1295, being in love with a Scotch woman, he endeavoured to inveigle his kinsman, William de Ros, to the Scots party, which he joined himself, and was concerned in planning a surprise on the English power.

Recollecting, however, that he was of full age certainly in 12 Henry III., 1228, and that these last events are stated to have occurred about 1296 or 1297, when he would have been near ninety years of age, it is difficult to believe that Dugdale

[1] Excerpt. e Rot. Fin. 152. 169.

[2] Manning's Serviens ad Legem, 282.; Dugdale's Chron. Series.

has not missed a generation, and that this lover of the Scottish girl was not his son.

Whichever the last-mentioned person was, he married Margaret, one of the four sisters and heirs of Peter de Brus of Skelton, with whom he had the lordship of Kendall, which devolved on his son William, whose family ended in 1359 with a daughter.[1]

SACKVILLE, JORDAN DE.

JUST. ITIN. 1219.

HERBRAND, the ancestor of Jordan de Sackville, or de Saukeville, so called from a town of that name in Normandy, assisted in King William's invasion of England, and returning home left in this country Robert, his third son, who held various manors in Essex and Suffolk. He was the grandfather of Geoffrey, the father of the subject of the present notice, by Constance, daughter of Sir Edmund Brooke.[2] Both father and son were involved in the proceedings of the barons against King John; but on the accession of Hen. III. their forfeited lands were restored to them, and further favours conferred.[3] Jordan de Saukeville's name appears on a fine acknowledged at Westminster in 3 Henry III., 1219, he being then, according to Dugdale, a justice itinerant[4], but on no other occasion is he mentioned as a justicier. Both he and his father were alive in 10 Henry III., 1226[5]; and the time of their deaths is uncertain.

Jordan married Maud de Normanvill, and by her he had three sons; from William, the eldest of whom, regularly de-

[1] Dugdale's Baronage, i. 546. 555.
[2] Ibid. iii. 399.; Collins's Peerage, iii. 90.; Hasted's Kent, iii. 74.
[3] Rot. Pat. 172.; Rot. Claus. i. 305. 313. 316.
[4] Dugdale's Chron. Ser.
[5] Rot. Claus. ii. 146.

scended Thomas Sackville, who, in 1567, was created Baron of Buckhurst, (a manor in Sussex which the grandfather of Jordan de Sackville derived from his marriage with Ela, the daughter of Ralph de Dene, a justice itinerant in the reign of Henry II.), was one of the lords commissioners of the great seal in 1591, and was advanced to the earldom of Dorset in 1603. The sixth earl was created Baron Cranfield and Earl of Middlesex in 1675, before his father's death; and his son was raised to the dukedom of Dorset in 1720. George (who had assumed the name of Germaine), the third son of the second duke, was elevated to the peerage by the titles of Baron Bolebrook and Viscount Sackville in 1782; and in his son, Charles Sackville Germaine, all these titles concentered in 1815, when he succeeded to the dukedom on the death of the fourth duke without issue [1]; but they all became extinct on the death of Charles, unmarried, in 1843.

ST. EDMUND, ABBOT OF. *See* HUGH DE NORTHWOLD.

ST. EDMUND, WILLIAM DE.

JUST. 1233.

THERE are records of fines acknowledged before William de St. Edmund, as a justicier, for twelve years, commencing at Midsummer, 1233, 17 Henry III., and ending at Midsummer, 1245, 29 Henry III.; during which period also various entries occur of payments made for writs before him. His name is not otherwise mentioned.[2]

[1] Nicolas's Synopsis of the Peerage.

[2] Dugdale's Orig. 43.; Excerpt. e Rot. Fin. Henry III., i. 255. 399. 402. 437.

ST. HELENA, JOHN DE.

JUST. ITIN. 1225.

JOHN DE ST. HELENA held lands of the king at Abingdon, in Berkshire, which he forfeited in 17 John. They were no doubt restored to him on the accession of Henry III., although no record thereof appears. In 9 Henry III., however, he was constituted a justice itinerant for that county; and in the following year assessed the quinzime there.[1]

ST. JOHN, JOHN DE.

JUST. ITIN. 1225.

JOHN DE ST. JOHN held the barony of Stanton, in Oxfordshire, and being a minor at the death of his father Roger, in 16 John, was placed under the wardship of Geoffrey de Luci. He attained his majority before 9 Henry III., 1225, for in that year he was appointed one of the justices itinerant in his own county. He died in 14 Henry III., when Geoffrey le Dispenser paid 100*l.* for the guardianship of his heir. This was Roger, who fell at the battle of Evesham in 1265, after which none of his descendants were summoned to parliament.[2]

ST. MARTIN'S, LONDON, DEANS OF. *See* GEOFFREY DE BOCLAND, HENRY DE WENGHAM.

ST. OMERO, WILLIAM DE.

JUST. 1269.

See under the Reign of Edward I.

ST. PAUL'S, CHANCELLOR OF. *See* JOHN MANSEL.

ST. PAUL'S, TREASURER OF. *See* ALEXANDER DE SWEREFORD.

[1] Rot. Claus. i. 236. 241., ii. 76. 147.

[2] Dugdale's Baronage, i. 539.; Rot. Claus. ii. 75, 76.; Excerpt. e Rot. Fin. i. 193.

SALCETO, ROBERT DE.

Just. Itin. 1234.

Robert de Salceto, or de la Saucey, was the son of Roger de la Saucey [1], and held the sheriffalty of Northamptonshire with Henry Fitz-Peter, or de Northampton, in 6 & 7 John.[2] During the troubles in that reign he seems to have been a waverer; for in 15 John he gave hostages for his faith; in the next year he was employed to explain the king's affairs to his neighbours in Northampton and Rutland; and in the following his property was seized, it must be presumed on his open hostility.[3] Soon after the accession of Henry III., however, it was restored to him; and in the seventh year of that reign he was engaged in fixing the tallage, and again in 10 Henry III. in assessing the quinzime of his county.[4] He was at the head of the justices itinerant for Rutland in 18 Henry III., 1234, beyond which date nothing is recorded of him, except that he had six sisters who were his co-heirs; one of whom married Simon de Trop, a justice itinerant in this reign.[5]

SALISBURY, Bishops of. *See* Richard Poore, William of York.

SALOP, Archdeacons of. *See* Hugh Foliot, Alexander de Swereford.

SANDWICH, RALPH DE.

? Keeper, 1265.

See under the Reign of Edward I.

[1] Excerpt. e Rot. Fin. i. 85.
[2] Rot. Pat. 47. 54.; Rot. Claus. i. 34. 77.
[3] Rot. Pat. 104. 128. 168.; Rot. Claus. i. 236.
[4] Rot. Claus. i. 306. 540., ii. 147.
[5] Excerpt. e Rot. Fin. i. 296.

SANSETUN, BENEDICT DE, BISHOP OF ROCHESTER.

?JUST. 1219.

WHEN the office of precentor of St. Paul's, London, was first erected and endowed with the church of Sording, on March 26, 1204, Benedict de Sansetun, or Sauncinton, was the first selected to the dignity, which he enjoyed till he was raised to the bishoprick of Rochester, in December, 1214, 16 John.[1] In 3 Henry III. he was at the head of the justices appointed for the four home counties[2]; and fines were levied before them at Westminster in that character. For several years afterwards he was in frequent attendance at the court, many mandates being made before him, and some countersigned by him. In May, 8 Hen. III., he had a donum of twenty marks as resident in the Exchequer; and in the following November ten marks for his support "dum moram facit ad Scaccarium nostrum;"[3] terms which seem to imply that he then acted as a regular justicier. In October, 1225, he went on an embassy to France, and received one hundred marks for his expenses.[4] He died on December 21, 1226, and was buried in his own cathedral, leaving a brother, called John de Sauncinton.[5]

SAUVAGE, GEOFFREY LE.

JUST. 1222.

GEOFFREY LE SAUVAGE'S father, of the same name, had the custody of the manor of Woodstock, and held property in the counties of Warwick, Stafford, Derby, and Worcester.[6]

[1] Rot. Chart. 5 John, 124.; Le Neve, 199. 248.
[2] Dugdale's Chron. Ser.; Rot. Claus. i. 396. 405.
[3] Rot. Claus. i. 596., ii. 8.
[4] Rot. Claus. 9 Henry III., ii. 64.
[5] Ibid. 11 Henry III., 163.
[6] Rot. Claus. i. 14. 491.

On his death in March, 1222, 6 Henry III., his son was excused his fine for admission to his father's lands, at the intercession of Hugh le Despenser, whose daughter, Matilda, he married.[1] In the following year he was custos of the forest of Savernach, in Wiltshire, in which county he was also a justice itinerant in 9 Henry III. Dugdale notices fines levied before him at Westminster in 7 Henry III., and from that time till Easter, 10 Henry III.[2]

He died in 15 Henry III., 1230, when Hugh le Despenser paid fifty shillings for the custody of his lands, and the wardship of his heir.

SAUVAGE, JAMES LE.

Just. Itin. 1219.

In the appointments of justices itinerant in 3 Henry III., 1219, a clergyman of one of the counties to which they were commissioned was frequently added. James le Sauvage was united to those who acted in Sussex, Surrey, Kent, and Middlesex[3]; being the rector of the church of St. Peter, at Hotham, or Ocham[4], probably Woking, in Surrey, that church being dedicated to St. Peter. He was chaplain to Hubert Walter, Archbishop of Canterbury and chancellor, and was one of the executors of his will.[5] On that prelate's death in 1205, the king nominated him a custos of the archbishoprick during the vacancy, and made him one of his own chaplains; in which character he obtained for the tenants of his church a freedom from the payment of all assessments.[2]

[1] Rot. Claus. i. 494., ii. 94.; Excerpt. e Rot. Fin. i. 205.
[2] Rot. Claus. i. 528., ii. 76.; Dugdale's Orig. Jurid. 42.
[3] Dugdale's Chron. Ser. [4] Rot. Chart. 7 John, 165.
[5] Rot. Pat. 26.; Rot. Claus. i. 60, 61.
[6] Rot. Claus. i. 46, 47. 71.; Rot. Chart. 165.

SCARDEBURG, ROGER DE, ABBOT OF WHITBY.

JUST. ITIN. 1226.

THE Abbot of Whitby headed the list of justices itinerant appointed for the county of Northumberland in 10 Hen. III., 1226. His name was Roger of Scarborough, where he was born. He was elected to the abbacy in 1222, having previously acquired great veneration during a long residence in the cell at Middleburgh Church. He was a man of considerable abilities, and, during the twenty-two years that he presided over the monastery, much advanced its interests and increased its revenues. He died in 1244.[1]

SECULER, ALEXANDER LE.

B. E. 1265.

THE family of Le Seculer was established in Herefordshire, of which county Nicholas le Seculer assessed the tallage in 19 Henry III. In 32 Henry III. he did homage for the lands of his deceased brother, *Master* Alexander le Seculer, in the same county.[2] It is probable, therefore, that this Alexander le Seculer, who was also of the clerical profession, was the nephew of *Master* Alexander, and was the son of this Nicholas. He was constituted, as the king's "beloved clerk," one of the barons of the Exchequer in Easter, 1265, 49 Henry III.[3]; after which date, however, no further mention of him occurs.

SEGRAVE, GILBERT DE.

JUST. 1251.

GILBERT DE SEGRAVE was the second son of Stephen de Segrave (see p. 468.) by Rohese, the daughter of Thomas le

[1] Rot. Claus. ii. 151.; Charlton's Whitby, 169—203.
[2] Madox's Exch. i. 735.; Excerpt. e Rot. Fin. ii. 20. 22.
[3] Madox's Exch. ii. 56.

Despenser; but his elder brother, John, dying in his father's lifetime, he succeeded to the property on his father's decease in 1241.[1] Dugdale states that he was a canon of St. Paul's[2]; but if so, unless that dignity was held by civilians, he must have obtained a dispensation from his holy orders (which he perhaps did on his brother's death in 1231), as he married Amabilia, the daughter and heir of Robert de Chaucomb.[3] In 15 Henry III., he had a grant from Simon de Montfort, Lord of Leicester, of the town of Kegworth, in Leicestershire; and a short time after he was constituted governor of Bolsover Castle. In 26 Henry III., the year following his father's death, he was made justice of the forests south of Trent, and governor of Kenilworth Castle.

He was raised to the bench at Westminster in 35 Hen. III., 1251, in April of which year a payment was made for an assize to be taken before him; and another appears in the ensuing year.[4] During that interval he was one of the justiciers appointed to hear such pleas of the city of London as were wont to be determined by the justices itinerant.[5] He is not noticed in a judicial character after January, 1252, 36 Henry III. Two years afterwards he was sent on a mission into Gascony, on his return from which, in company with John de Plessetis, Earl of Warwick, and other nobles, they were, in spite of the King of France's letters of safe conduct which they bore, seized and imprisoned at Pontes, a city in Poictou. Although ultimately released, his sufferings there impaired his health, and caused his death[6], which happened shortly before November 11, 1254, 39 Henry III., when his lands were taken into the king's hands, as usual on that event.[7]

[1] Dugdale's Baronage, i. 673.
[2] Dugdale's Orig. Jurid. 21.
[3] Excerpt. e Rot. Fin. i. 462.
[4] Ibid. ii. 103. 124.
[5] Dugdale's Chron. Series.
[6] Dugdale's Baronage, i. 673.
[7] Excerpt. e Rot. Fin. ii. 198.

His widow, Amabilia, afterwards married Roger de Sumeri, Baron of Dudley, a justice itinerant in this reign. He was succeeded by his son, Nicholas de Segrave. The barony failed in the male line in 1353; but survived in Elizabeth, daughter of Baron John, who married John Lord Mowbray. Their son Thomas was created Earl of Nottingham in 1383, and Duke of Norfolk in 1400, in which title this barony continued merged till the death of John, the fourth duke, in 1475; and on the death of his daughter, Ann, without issue, it fell into abeyance between the representatives of Margaret and Isabel, sisters of John, the second Duke of Norfolk; the present Earl of Berkeley being heir of the former, and the Barons Petre and Stourton being heirs general of the latter.[1] The title of Baron Segrave, of Berkeley Castle, was granted in 1831 to William Fitz-Hardinge Berkeley, who was created Earl Fitz-Hardinge on August 11, 1841.

SEGRAVE, STEPHEN DE.

JUST. 1218. JUST. ANGL. 1232.

THE father of Stephen de Segrave was Gilbert, son of Hereward, who assumed the name of his lordship of Segrave, in Leicestershire, of which county he acted as sheriff during several years in the reign of Richard I.[2] His death occurred before 6 John, for in that year, of one hundred and sixteen marks in which he was indebted to the crown, his son Stephen, for the love the king bore to Hugh le Despenser, whose sister Rohese he married, was excused fifty-six marks.[3] In 8 John, Stephen de Segrave was one of the two "custodes placitorum coronæ," William Picot being the other[4]; and in

[1] Nicolas's Synopsis of the Peerage.
[2] Dugdale's Baronage, i. 671.
[3] Rot. de Finibus, John, 422.
[4] Abbrev. Placit. 55.

16 John he was sent into the county of Worcester to forward the king's affairs. His loyalty during the barons' wars was rewarded by a grant of the lands of Stephen de Gant, and of the manor of Kinton, in Warwickshire [1], for which he afterwards procured a weekly market.[2]

He had in his youth been brought up as an ecclesiastic, but had changed his clerical profession for that of arms. No doubt, however, he added to the former, as was then usual, the study of the law, and continued his attention to it; for though there is no account of his forensic progress, his interest or ability soon raised him to the bench. In 2 Henry III., 1218, fines were levied before him as a justicier at Westminster, and he had a grant of one hundred shillings as his fee at two several periods in the year.[3] There are records of fines in which his name occurs from this date till Michaelmas, 14 Henry III.; and during the whole of that time and in the two following years he was frequently employed as a justice itinerant in the provinces; holding from the tenth year the highest place in the commissions to which he was attached.[4] In a judgment of him and his companions pleaded in a cause of a subsequent year, they are called "Justiciarii de Banco;" but whether its date was before or after he was chief justiciary does not appear.[5]

During the former period he was entrusted with other important commissions. In 3 Henry III. he was sent on an embassy to the legate[6]; in the next year he was appointed governor of Sauvey Castle, in Leicestershire; and for the three following he acted as sheriff of the counties of Lincoln, and of Essex and Hertford, and as constable of the Tower of London, with an allowance of 50*l.* per annum.[7] He was made

[1] Rot. Pat. 128.; Rot. Chart. 223.
[2] Rot. Claus. i. 428.
[3] Dugdale's Orig. Jurid. 42.; Rot. Claus. i. 350. 365.
[4] Dugdale's Chron. Ser.
[5] Abbrev. Placit. 122.
[6] Rot. Claus. i. 396.
[7] Ibid. 459., &c.

sheriff of Buckingham and Bedford in 12 Henry III.; and then of Warwick and Leicester and Northampton for his life: and he was joined with the chancellor in the administration of affairs during the king's absence in Poictu in 1230.[1]

He had united himself with the party of Peter de Rupibus, Bishop of Winchester, aiding his efforts against the justiciary Hubert de Burgh: and had taken every opportunity of ingratiating himself with King Henry. His immediate success was evidenced by the above appointments, and by other grants of great extent and value.

When the bishop had succeeded in procuring the discharge of Hubert de Burgh, his office of chief justiciary was, on July 29, 1232, 16 Henry III., given to Stephen de Segrave[2], together with the government of all the castles from which his predecessor had been removed. The acquisition of this post might be an object of honourable ambition; but his efforts to irritate the monarch against the fallen favourite, and to aggravate the charges against him, deserve another designation. His ministry was not a fortunate one; and in the next year he had the ill luck to be present when the king was defeated before Grosmont, and to be one of those who were surprised in their beds and compelled to fly almost naked from the field.

His support of the pope's exactions, and his adherence to the Bishop of Winchester, were sufficient to cause his unpopularity; one effect of which was the burning of his mansion at Alcmundberry, while he was with the king in the neighbouring town of Huntingdon.[3] This occurred in the early part of February, 1234, 18 Henry III., and it was probably in compensation for his loss that, on March 2, the

[1] Fourth Report Pub. Rec., App. ii. 152.; Fifth Report, App. ii. 63.
[2] Roger de Wendover, iv. 245. [3] Ibid. 278. 297.

king granted him an exemption from the forest laws in this manor.[1] But within a very few weeks he shared in the fall of the disgraced bishop, and in the middle of the following April was ejected from the high position he had occupied for so brief a period.[2]

Being shortly afterwards summoned with the rest of the discarded ministers to render an account of his stewardship, rather than meet his accusers he retired to the abbey of St. Mary, at Leicester, where he resumed the clerical tonsure which he had formerly relinquished. He, however, eventually thought fit to appear on July 4, under the protection of Edmund, Archbishop of Canterbury, when, after the king had angrily attributed to his counsels the disgrace of Hubert de Burgh and the exile of the nobles of the kingdom, he was given till Michaelmas to prepare his defence. The times becoming more quiet, and milder counsels prevailing, he was, in the following February, allowed to make his peace with the king, on paying a fine of one thousand marks.[3]

Although in one of his fits of fickleness the king recalled him to court after three years' absence, made him justice of Chester in 21 Henry III.[4], and for a time listened to his counsels, he was never restored to his former elevation. His death happened in the abbey of Leicester, in which he had become a canon regular, before October 13, 1241, 25 Hen. III., on which day his lands were, as usual on such events, seized into the king's hands.[5]

Evidently a man of energy and enterprise, his grasping and time-serving disposition threw suspicion over all he did; and the popular hatred that he incurred by his encouragement of the king's extravagance and the expedients he used to supply it, blinded the people to such of his acts as were

[1] Rymer's Fœd. N. E., i. 211.
[2] Roger de Wendover, iv. 299.
[3] Ibid. 312. 314. 325.
[4] Dugdale's Baron. i. 672.
[5] Excerpt. e Rot. Fin. i. 356.

meritorious. But excepting the harshness with which he urged the persecution of Hubert de Burgh, no imputation of cruelty or even severity can be made against his conduct as a judge either before or after he was raised to the highest post: while his grants to the abbeys of Stoneley, Combe, and Leicester, and his subsequent retirement to the latter, are evidences of his pious disposition.

After the death of his first wife Rohese, daughter of Thomas le Despenser, he married Ida, the sister of Henry de Hastings, who, six years after his death, was fined 500*l.* for marrying Hugh Pecche.[1]

By his first wife he had two sons, the elder of whom, John, married Emma de Cauz; but dying ten years before him, he was succeeded by his second son, Gilbert, noticed in the preceding article.

SEINGES, RICHARD DE.

JUST. 1216.

See under the Reign of John.

RICHARD DE SEINGES was probably an officer in one of the departments of the Curia Regis, for we find him united with Hubert de Burgh as his deputy in the sheriffalty of Hereford for three years, commencing 3 John.[2] He had the custody of the castle of Wilton, which, in 6 John, he was ordered to deliver to William de Cantilupe[3]: and in the same year he was fined one hundred shillings in respect of a false oath taken in an assize of novel disseisin between Cecil de Felsted and Hugh de Windsor, who was in his custody.[4] The offence, however, does not seem to have been very flagrant, as two

[1] Excerpt. e Rot. Fin. ii. 6. 17. In the former of these entries she is called Ela.

[2] Rot. Cancell. 3 John, 106. 360.

[3] Rot. Pat. 46.

[4] Rot. de Finibus, 237.

years afterwards a great many fines were levied at St. Edmund's, Cambridge, and Bedford, before Humfrey, Archdeacon of Sarum, and him. It is somewhat extraordinary that in none of them is the designation "Justiciis" used, though it occurs in all other fines of this period; the addition being simply "et aliis fidelibus." It is possible, therefore, particularly as their names are not mentioned in a judicial capacity in any subsequent year of that reign, that they were only specially appointed to go the circuit on that single occasion. But in 3 Henry III., 1219, he appears as one of the justiciers before whom fines were levied at Westminster; and in 11 Henry III., 1226, he was sent with other justiciers to try certain malefactors in Norfolk.[1] On each instance his name stands last but one on the list.

SELBY, ABBOT OF. *See* RICHARD DE KELLESAY.

SEYTON, ROGER DE.

JUST. 1268.

See under the Reign of Edward I.

SHARDELOWE, ROBERT DE.

JUST. 1228.

ROBERT DE SHARDELOWE, or as his name is sometimes spelled, Cherdelawe, united the clerical and the legal professions. Of his lineage or his early history nothing has been discovered; but that he was one of the justiciers at Westminster appears from fines having been levied before him there from Michaelmas, 13 Henry III., 1228, to Easter, 16 Henry III., 1232.[2] During this period he is recorded to have been appointed to three circuits, one in 15 Hen. III.,

[1] Rot. Claus. ii. 159.

[2] Dugdale's Orig. Jurid. 43.

into Yorkshire, and two in the next year into Nottinghamshire and five other counties, and also into Kent.[1]

SHOTTINDON, ROBERT DE.

JUST. 1254.

ROBERT DE SHOTTINDON was of a Kentish family. He farmed property at Ospringe under the crown, and in 1243 had a grant of the custody of the land and heirs of Thomas de Acton, for a fine of thirty marks.[2] Matthew Paris calls him "Domini Regis clericus specialis." He was raised to the bench about the beginning of 39 Henry III., 1254, and his name appears upon fines till 41 Henry III., 1257. He died in that year at Hertford, while on his circuit, and was buried in the priory there.[3] This event occurred after June 10, 1257, on which day a payment was made for an assize to be held before him.[4] Weever calls him Sotington or Sadington; so that he may have been the ancestor of Thomas de Sodington, the justice itinerant under Edward I., and Robert de Sadington, Chief Baron and Lord Chancellor under Edward III.

SIMON, ABBOT OF READING.

JUST. ITIN. 1221.

SIMON was the tenth Abbot of Reading, succeeding Helias in 1212. He was frequently employed under both John and Henry III. By the former he was sent on a mission to France in 16 John, and had 40*l.* allowed him for the purpose; and in 4 Henry III. he was in the commission of

[1] Dugdale's Chron. Ser.; Thoroton's Nottinghamshire, i. 375.
[2] Excerpt. e Rot. Fin. i. 398. 429.
[3] Weever's Funeral Monuments, 543.
[4] Ibid. ii. 257.; Dugdale's Orig. Jurid. 43., and Chron. Series.

inquiry issued as to the forests, and also had the custody for a short time of the castle of Devizes. In 5 Henry III. he was placed at the head of the justices itinerant sent into nine counties, and received from the king a gift of eight marks to defray his expenses. In the next year he had a grant of twenty oaks from the New Forest to repair his houses at Wichebury; and died in February, 1226.[1]

SOREWELL, WILLIAM DE.

JUST. ITIN. 1227.

WILLIAM DE SOREWELL, or Shorewell, was united with Peter de Rupibus, Bishop of Winchester, in the sheriffalty of Hampshire for seven years, commencing 2 Henry III.: and with Joscelin, Bishop of Bath, in the sheriffalty of the county of Somerset, in part of the ninth year of that reign. In 10 Henry III. he was one of those employed to collect the quinzime of the former county; and in the next year, January, 1227, he was selected as a justice itinerant into the latter county, and also into Dorsetshire and Wiltshire. He did not long survive this appointment, for on August 7, 1228, 12 Henry III., his brother and heir, Robert, was permitted to pay a sum of 22*l.*, due from him for the time he was Sheriff of Hants, in three instalments.[2]

SPALDEWICK, WILLIAM DE, ABBOT OF COLCHESTER.

JUST. ITIN. 1254.

THE Abbot of Colchester was placed at the head of the justices itinerant who visited Essex and Hertfordshire in

[1] Browne Willis's Mitred Abbeys; Rot. Claus. i. 175. 434. 458. 476. 513. ii. 99.

[2] Rot. Claus. ii. 23. 147. 205.; Excerpt. e Rot. Fin. i. 175.; Fuller's Worthies, Hants, Dorset, and Somerset.

38 Henry III., 1254[1], according to the not unusual practice of so honouring a dignified ecclesiastic of the neighbourhood. He was William de Spaldewick, whose election as abbot received the king's confirmation on April 22, 1245; and who died about July 8, 1272.[2]

SPALDING, JOHN DE, PRIOR OF SPALDING.

JUST. ITIN. 1272.

ONE of the justices itinerant into Essex in 56 Henry III., 1272, was the Prior of Spalding[3], whose name was John de Spalding. He is reported to have been eminent for his knowledge of the laws, in which he held the degree of doctor, and to have been summoned to council by the king's writ in 49 Henry III.[4]

STAFFORD, ARCHDEACON OF. *See* THOMAS DE CANTILUPE.

STANES, RICHARD DE.

JUST. ITIN. 1268. JUST. 1269.

See under the Reign of Edward I.

STAUNTON, WILLIAM DE.

JUST. ITIN. 1262.

THE family to which William de Staunton belonged has not been ascertained. He was appointed, with three others, a justice itinerant in 46 Henry III., 1262, to visit Cornwall and Devonshire; and in the following year, the same four were commissioned into the counties of Dorset and Somerset.[5]

[1] Dugdale's Chron. Series.
[2] Dugdale's Chron. Series.
[3] Browne Willis's Mitred Abbeys, i. 66.
[4] Law and Lawyers, ii. 331.
[5] Dugdale's Chron. Series.

STOKE, RICHARD DE.

Just. Itin. 1225.

It is to be presumed that Richard de Stoke was implicated in the barons' war against King John, as he returned to his allegiance in 2 Henry III., when his lands were restored to him. They were situate in Buckinghamshire, in which county, some years afterwards, he held the office of coroner. It was probably on that account that in 9 Henry III., 1225, he was selected to act there as one of the justices itinerant; and he is again mentioned in 11 Henry III. in the same character.[1]

STRODE, JOHN DE LE.

Just. Itin. 1268.

Of John de le Strode, who was among the justices itinerant appointed in 52 Henry III., 1268, to visit Somersetshire and Dorsetshire, besides eleven other counties, little more can be said than that he was of a family holding large estates in them, which descended from Warinus de la Strode, a companion of the Conqueror, and which is now represented by Rear-Admiral Sir Edward Chetham Strode, of Southill, Somersetshire.[2]

SUDLEY, RALPH DE.

Just. Itin. 1240.

Ralph de Sudley, or de Sullega, was of a noble English family, older than the Conquest, whose chief seat was at Sudley, in Gloucestershire.[3] He succeeded his father, of the

[1] Rot. Claus i. 340., ii. 77. 147. 215.

[2] Dugdale's Chron. Series; Burke's Landed Gentry.

[3] Dugdale's Baronage, i. 42.

same name, in 6 Henry III., when he paid a relief of 100*l.* for livery of his lands.[1] In 24 Henry III., 1240, he was the second named of the justices before whom a fine was acknowledged at York[2]: after which date there is no further mention of him. He was succeeded by his son Bartholomew, whose grandson John died in 1367, leaving two daughters, between the descendants of whom the barony remains in abeyance.[3]

SUMERI, ROGER DE.

JUST. ITIN. 1261.

JOHN DE SUMERI, grandfather of Roger, acquired the barony of Dudley in Worcestershire by his marriage with Hawyse, the sister and heir of Gervase Paganel. He was succeeded by his son Ralph, who left two sons, William, his heir, and this Roger. William's son, Nicholas, dying without issue in 13 Henry III., 1229, his uncle Roger became heir and did homage for the barony and lands. In 17 Henry III., his estates were seized because he came not to be bound with the belt of knighthood, and he was compelled to fine for their restitution.[4] He married Nichola, third sister and co-heir of Hugh de Albini, Earl of Arundel, on the partition of whose inheritance in 28 Henry III., he had the manor of Barewe in Leicestershire assigned for the chief seat.

In 45 Henry III., 1261, he was selected as a justice itinerant for Cambridge and Huntingdon.[5]

He was a loyal and a valiant knight, and fought under the king at the battle of Lewes, sharing in his defeat and his subsequent imprisonment. He was afterwards one of those appointed to carry into execution the dictum of Kenilworth.

[1] Madox's Exch. i. 318.
[2] Dugdale's Chron. Series.
[3] Nicolas's Synopsis of the Peerage.
[4] Introd. to Excerpt. e Rot. Fin. xvii.
[5] Dugdale's Chron. Series.

He died in 1 Edward I., 1272, and was buried at the priory of Dudley. By his first wife he had four daughters; but marrying, secondly, Amabilia, the daughter of Robert de Chaucomb, and widow of Gilbert de Segrave, he left by her two sons and a daughter. The eldest son Roger succeeded, whose two sons dying without issue, the barony was revived in the person of John de Sutton, whose father had married the eldest sister of the last baron, and continued, partly through females, till the death of Ferdinando Dudley Lea, the fifteenth Baron Dudley, without issue in 1757, when it fell into abeyance among his five sisters. The grand-daughter and heir of the ninth baron married Humble Ward, who in 1644 was raised to the peerage as Lord Ward. The two titles of Dudley and Ward continued united till the death of the fourteenth Baron Dudley, when that of Dudley devolved on the above Ferdinando Dudley Lea; and that of Ward on John Ward, the grandson of the first Lord Ward's second son, who in 1763 was created Viscount Dudley and Ward. His grandson was advanced in 1827 to the earldom of Dudley; but upon his death unmarried in 1833, all these new titles became extinct, while the barony of Ward devolved on his second cousin William, the father of the present peer.[1]

SURREY, EARL OF. *See* JOHN DE WARENNE.

SWEREFORD, ALEXANDER DE, TREASURER OF ST. PAUL'S, ARCHDEACON OF SALOP.

B. E. 1234.

ALEXANDER DE SWEREFORD is described by Madox as a "most excellent man, whose memory is yet held in high esteem among antiquaries." According to the same authority, he took his name from a parish so called in the county of

[1] Dugdale's Baronage, i. 513.; Nicolas's Synopsis; Burke's Peerage.

Oxford, of which he was first the vicar, and afterwards the rector, upon the presentation of the abbot and convent of Osney. He was a clerk in the Exchequer, and was appointed domestic chaplain by William de Cornhill, Bishop of Coventry, who had himself been an officer of that branch of the court. In February, 17 John, he had letters of conduct to go abroad with the bishop, and in the following April the troubled state of the country rendered it necessary for him to apply for them for the purpose of travelling throughout England on the bishop's affairs. About 1219, he was made Archdeacon of Salop or Shrewsbury; and on January 15, 1231, is mentioned as treasurer of St. Paul's, having been previously a canon in that cathedral.

On July 6, 1234, 18 Henry III., he was assigned to take his place in the Exchequer "tanquam baro;" and in the ensuing October he had a grant of forty marks per annum for his support, until he was otherwise provided for. He attested writs in connection with his office in the Exchequer as late as October, 1245; and dying on November 14, 1246, was buried at St. Cedda's altar in St. Paul's, where he founded a chantry. He gave all the lands and rents he had in Hertfordshire to St. Bartholomew's Hospital.

He is chiefly celebrated as the compiler of the Red Book of the Exchequer, in which he collected out of the great rolls of the Pipe the memorials concerning the scutages assessed in the reigns of Henry II., Richard I., John, and the first fifteen years of that of Henry III., with many other curious particulars relative to the officers and practice of the department of the revenue in the king's court; and in which he preserved the valuable work of Richard Fitz-Nigel, Bishop of London, called "Dialogus de Scaccario."[1]

[1] Madox's Exch. i. 624. 677., ii. 54. 335.; Chauncey's Hertfordshire, 237.; Dugdale's Orig. Jurid. 21, and Chron. Series; Rot. Pat. 17 John, 166. 176.

TABLIR, RALPH.

JUST. ITIN. 1219.

THE only occurrence of the name of Ralph Tablir is as a justice itinerant in 3 Henry III., 1219, in the counties of Sussex, Surrey, Kent, and Middlesex.[1] In some of the fines levied during that iter he is called Ralph Tabbett.[2]

TALEBOT, GILBERT.

JUST. ITIN. 1261.

GILBERT TALEBOT (Talbot) was the son of Richard Talebot, Lord of Linton, in Herefordshire, by Alina, his wife, who was the daughter of Alan Basset, of Wycombe, and widow of Drogo de Montacute; for his marriage with whom, without the king's license, he was fined five marks in 8 Henry III.; but was afterwards pardoned.[3] The date of Richard's death is not recorded; but Gilbert, in 44 Hen. III., 1260, was made governor of the castles of Grosmont, Skenfrith, and Blanceminster; which, with that of Monmouth, he was ordered to fortify against the disturbances of the Welsh. In the next year he was appointed one of the justices itinerant for Herefordshire and five other counties.[4]

Of his future life little is related, except his marriage with Guenthlian, the daughter and eventually the heir of Rhese ap Griffith, Prince of Wales, whose arms he thenceforward adopted instead of his own. By her he had a son, Richard, who succeeded him at his death in 2 Edward I., 1274; one of whose descendants in 1384 became, by his marriage with the heiress, Baron Strange. His son, John Talbot,

[1] Dugdale's Chron. Ser.
[2] From an extract kindly communicated by the Rev. Joseph Hunter.
[3] Excerpt. e Rot. Fin. i. 122. [4] Dugdale's Chron. Series.

acquired the barony of Furnival by marriage in 1409, and was created Earl of Shrewsbury in 1442. These titles continued united till the death of Gilbert Talbot, the seventh earl, when, as he died without male issue, the earldom devolved first on his brother, and then on a descendant from a younger son of the fifth earl, and ultimately passed in lineal descent to the present earl, who is the fifteenth in succession. Charles, the twelfth earl, in 1694, was created Marquis of Alton and Duke of Shrewsbury; but dying without issue, these new honours became extinct in 1718.

The three baronies continued in abeyance among the seventh earl's three daughters and coheirs till the death of the two elder, when they became vested in Althea, widow of Thomas Howard, the twentieth Earl of Arundel, the third daughter; whose descendants inherited them until the death of Duke Edward Howard, the eleventh of that name, in 1777, without issue; when they again fell into abeyance between the daughters of his brother, Philip Howard, and so remain between their representatives, Lord Stourton and Lord Petre.

Charles Talbot, Lord Chancellor of George II., was a descendant from the same ancestry, and was created Lord Talbot in 1733; to which title those of Viscount Ingestrie and Earl Talbot were added in 1784 to the father of the present peer.[1]

TAMETONE, WILLIAM DE.

JUST. ITIN. 1226.

WILLIAM DE TAMETONE was a man of some importance in Yorkshire. In 4 Henry III. he was commissioned with

[1] Dugdale's Baronage, i. 325.; Nicolas's Synopsis of the Peerage; Burke's Peerage.

Walter Mauclerk and others to enquire by twelve men into the state of the castle of Pickering, in that county, after the peace between the king and Prince Louis; and there are two instances in which he was one of those before whom an assize of last presentation, and one of novel disseisin, were directed to be heard. In the general appointment of justices itinerant in 10 Henry III., 1226, he was selected for Northumberland.[1]

TEWKESBURY, Abbot of. *See* Peter.

THOMAS, Abbot of Winchecumb.

Just. Itin. 1226.

The commission issued in May, 1226, 10 Henry III., to the justices itinerant for Worcestershire, was headed by the Abbot of Winchecumb, in Gloucestershire, according to a then common practice of placing an ecclesiastic in that position.[2] His name was Thomas, and he was elected abbot in 1220, and died on October 3, 1232.[3]

THORPE, SIMON DE. *See* S. de Trop.

THURKILBY, ROGER DE.

Just. Itin. 1240. Just. 1241.

Of Roger de Thurkilby's lineage and early life, history is silent; and his name does not occur till Midsummer, 24 Henry III., 1240, when he was one of the four justices itinerant appointed for the southern district.[4] Less than two years afterwards, fines were levied before him, and so continued to be till just before his death, viz., from Michaelmas,

[1] Rot. Claus. i. 436., ii. 138. 151.
[2] Dugdale's Chron. Series.
[3] Browne Willis's Mitred Abbeys.
[4] Dugdale's Chron. Series.

26 Henry III., 1241, to Michaelmas, 43 Henry III., 1259.[1] During the same period, also, there are entries of payments made for assizes to be taken before him in almost every year.[2]

In the circuits of 1245, 1246, 1249, 1251, 1252, and 1256, he was invariably placed at the head of the commission for the counties he visited, except when a bishop or abbot was joined to them; but it does not appear that he was as yet the chief justice of either court. On October 3, 1258, he was the first named of the three who were assigned "ad tenendum Bancum Regis" at Westminster, until the king more fully regulated that bench; and on December 29, 1258, 43 Henry III., he had a grant of one hundred marks, as "residens ad Bancum[3]: but whether the bench alluded to was the Bancum Regis, to which he was appointed the previous year, or the Common Bench or Common Pleas, seems doubtful. It is difficult to decide, also, what position he held in the court; but, considering that the salary of Henry de Bathonia was 100*l.*, and his only one hundred marks, it would seem that he occupied the second place. Nevertheless, there are some royal letters and commissions among the public records apparently addressed to him as the head[4]; and an anonymous writer, in mentioning his sudden death in the following year, describes him as "Justiciarii Angliæ gerens officium."[5] He is represented as being second to none in his knowledge of the laws, and with the higher credit of opposing, though vainly, the iniquitous introduction of the non-obstante clause in the royal writs.[6]

[1] Dugdale's Chron. Series, and Orig. Jurid. 43.

[2] Excerpt. e Rot. Fin i. and ii. passim.

[3] Dugdale's Chron. Series.

[4] Fifth Report Pub. Rec., App. ii. 63, 64.

[5] Leland's Collect. i. 245.

[6] Dugdale's Chron. Ser.; Rapin, iii. 101.; Prynne's Animadversions of Coke's IV. Inst. 132.

TRACY, HENRY DE.

Just. Itin. 1232. B. E. 1261.

The barony of Barnstaple, in Devonshire, including Tavistock and various other manors, belonged to Henry de Tracy, who succeeded to it on the death of his father, Oliver de Tracy, in 12 John.

In 17 Henry III., 1232, he was placed at the head of the justices itinerant into Cornwall[1]; no doubt as a resident nobleman only, as no other instance occurs of his appointment to that office. An assize of novel disseisin, &c., was, however, directed to be taken before him in Devonshire, in 41 Henry III.[2]; and in 45 Henry III. his name appears among the barons of the Exchequer.[3] In the former year he was made governor of the castle of Exeter. He died at a good old age about 2 Edward I., 1273. His son, Henry, and also his daughter, Eve, the wife of Guy de Brienne, having died before him, Maud, the daughter of the latter, married to Geoffrey de Camville, was found to be his next heir.[4]

TREVET, THOMAS.

Just. Itin. 1268. ? Just. 1269.

Thomas Trevet was the father of Nicholas Trevet, the author of numerous works, one of which, entitled "Annales sex Regum Angliæ, qui a comitibus Andegavensibus originem traxerunt," has been lately published by the English Historical Society. The editor, in his preface, says that "the judge, according to Leland, was descended from a family of some note in Norfolk; a statement which is con-

[1] Dugdale's Chron. Series. [2] Excerpt. e Rot. Fin. ii. 253.
[3] Madox's Exch. ii. 319.
[4] Dugdale's Baronage, i. 622.; Rot. Pat. John, 101.; Rot. Claus. i. 137. 283. 405.

firmed by a descent preserved in Sir Richard St. George's Heraldic Collections; though the documents from which this has been compiled refer exclusively to certain lands in the county of Somerset."[1] The family, very likely, were originally of Norfolk; but that the judge was settled in Dorsetshire or Somersetshire seems highly probable, since he was appointed, in 49 Henry III., to assess the tallage on the "Villam de Shaftonia," in Dorsetshire[2]; and on the first occasion on which he acted as a justice itinerant, in 52 Henry III., 1268, that county stood at the head of those named in the commission to which he was attached. He does not again appear on Dugdale's list of justices itinerant till 56 Henry III., in which year, he visited Herefordshire and Staffordshire, and in the following, Worcestershire.[3] But on the fine roll payments are made for assizes to be held before him in the fifty-third, fifty-fourth, and fifty-fifth years of that reign, all of which are for the counties of Dorset, Somerset, and Devon[4]; thus filling up the hiatus in Dugdale, and grounding a presumption that he was a regular justicier. In August, 1272, 56 Henry III., the priory and cathedral of Norwich having been maliciously burnt by the citizens, he was sent there, according to the statement of his son in the "Annales," to try the malefactors. He calls his father "justiciarium militem quendam, Thomam Treveth dictum, qui et justiciarius itineris fuerat de corona."[5] The first clause of the description seems to warrant the idea that he was something more than a justice itinerant. His son became a Dominican friar, and is stated to have been prior of their monastery in London, and to have died in 1328.[6]

[1] F. Nicholai Triveti Annales, 1845, Pref. v.
[2] Madox's Exch. i. 742.
[3] Dugdale's Chron. Ser.
[4] Excerpt. e Rot. Fin. ii. 497—545.
[5] Triveti Annales, 279.
[6] Ibid. Pref. vii.; Hutchins's Dorsetshire, ii. 441.

TROP, or THORPE, SIMON DE.

JUST. ITIN. 1252.

THE place in Northamptonshire from which Simon de Trop took his name was in those times as often spelled Thorpe as Trop. Simon's father, Ralph, met with a violent death in 5 Henry III., and three persons were charged with being concerned in it. One of them being a clergyman, was delivered over to ecclesiastical jurisdiction, where he purged himself of the accusation.[1] Simon, there can be very little doubt, was brought up to the law; for he was appointed no less than four times to act as a justice itinerant, not in his own county alone, but in several others. He was in the commission to three counties in 36 Henry III., 1252; to four counties in the next year; to four in 39, and to three (on pleas of the forest) in 40 Henry III., 1256.[2]

He died in January, 1259, 43 Henry III., leaving, by his wife Maria, the sixth and youngest sister and coheir of Robert de Salceto, a son named Ralph, who did homage for his lands in Northamptonshire.[3]

TRUMPINGTON, WILLIAM DE.

JUST. ITIN. 1219.

WILLIAM DE TRUMPINGTON, so called from a place of that name in Cambridgeshire, forfeited his lands by joining the barons against King John.[4] On his submission, at the beginning of the next reign, they were restored to him[5]; after which he made his loyalty sufficiently apparent to be appointed, in 3 Henry III., one of the justices itinerant into his own county and the neighbouring shires.[6]

[1] Rot. Claus. i. 454. 464. 486. 611.
[2] Dugdale's Chron. Ser.
[3] Excerpt. e Rot. Fin. i. 296., ii. 293.
[4] Rot. Pat. 17 John, 175.; Rot. Claus. 18 John, i. 272, 273.
[5] Rot. Claus. 1 Henry III., i. 326.
[6] Dugdale's Chron. Ser.

TRUSSEL, WILLIAM.

JUST. 1252.

WILLIAM TRUSSEL seems to have belonged to a Warwickshire family. There was a suit relative to property in that county in which he was concerned in 26 Henry III.[1] He was constituted a justicier, Dugdale says of the Common Pleas, on September 3, 1252, 36 Henry III.: and fines were acknowledged before him till November, 1254, 39 Henry III.[2], in which year he went as one of the justices itinerant into the counties of Gloucester and Stafford.[3] That he continued to act as a judge till September, 1257, 41 Henry III., is evidenced by the payments made for assizes before him, recorded in the Rot. de Finibus.[4] He claimed the advowson of the church of Sharneford against the prior of Kirkeby, who in 53 Henry III. substantiated his right of possession.[5]

TURRI, NICHOLAS DE.

JUST. 1251.

FROM entries on the fine rolls it appears that Nicholas de Turri was a justicier as early as 35 Henry III., 1251, payments being made from March in that year for assizes to be held before him. These continue uninterruptedly till May, 1270, 54 Henry III.[6] Dugdale, however, does not mention him till 44 Henry III., 1260, and then only as a justice itinerant. In the iters both of that and the following year, he is placed second on the list: but in the next two years, 46 and 47 Henry III., he stands at the head of all the com-

[1] Excerpt. e Rot. Fin. i. 372.
[2] Dugdale's Orig. Jurid. 43., and Chron. Series.
[3] Ibid.
[4] Excerpt. e Rot. Fin. ii. 162—262.
[5] Abbrev. Placit. 178.
[6] Excerpt. e Rot. Fin. ii 100—513.

missions on which he is named. In the former of these years Dugdale introduces him among the justices of the Common Pleas, with a grant of 40*l.* a year; and the only fine he notices as having been acknowledged before him is in 48 Henry III.[1] In 51 Henry III., 1267, a writ directing the removal of a process from his court to the Exchequer is addressed "Nicholao de Turri et sociis suis justiciariis;"[2] which would seem to imply that he was then at the head of the court. His name also precedes all the others in the commission issued in the following year for visiting no less than eleven counties. He died most probably in 1270, when he ceased to act; and if so, he would then have sat on the bench between nineteen and twenty years. From an entry among the pleas of Michaelmas, 51–52 Henry III., relative to a messuage and some land at Gretelington, in Wiltshire, it appears that Nicholas de Turri was parson of the church of All Saints in that place.[3]

A family named Torre, now seated at Snydale, in Yorkshire, traces its descent from Odo de Turri, perhaps the ancestor of Nicholas, in the reign of Henry I.[4]

TURVILL, MAURICE DE.

JUST. ITIN. 1219.

MAURICE DE TURVILL was in the service of King John, by whom, in 1215, he was sent with three associates to the earls, barons, and others of the county of Hants, to convey the royal commands and to explain the affairs of the kingdom. In the same year he and William de Faleise were custodes of the castle of Winchester.[5] His only appearance in a judicial capacity was, in 3 Henry III., 1219, as one of the justices

[1] Dugdale's Chron. Series.
[2] Madox's Exch. i. 236.
[3] Abbrev. Placit. 165.
[4] Burke's Landed Gentry.
[5] Rot. Pat. 128. 136.

itinerant into Wilts, Hants, Berks, and Oxford.[1] He held the office of one of the three coroners of the county of Gloucester, all of whom were superseded "propter debilitatem," in 9 Henry III., 1225, when the sheriff was ordered to cause three others to be elected in their stead.[2]

VALOINES, THEOBALD DE, ARCHDEACON OF ESSEX.

JUST. ITIN. 1225.

THE precise connection of Theobald de Valoines with the noble family of that name does not appear; but the relationship may be presumed from his Christian name being one which a member of it had borne. Le Neve says that he was Archdeacon of Essex in 1218; but he is not so designated in October, 1223, 7 Henry III., when he was commanded to give possession of the bishoprick of Carlisle (of which he was custos) to Walter Mauclerk, the newly-elected bishop. In November, 1224, however, he is so described on the roll, when a sum of ten marks was given to him *de prestito;* and again in 9 Henry III., 1225, when he was constituted justice itinerant and added to those who had been previously appointed to act in the county of York. Le Neve adds that he is also mentioned as archdeacon in 1228.[3]

VAUX, OLIVER DE.

JUST. ITIN. 1234.

OLIVER DE VAUX, or de Vallibus, was descended from Robert, a younger brother of Hubert, the father of Robert de Vaux, Lord of Gillesland, mentioned as a justice itinerant in the reign of Henry II. This branch of the family was settled in Norfolk, where they founded the priory of Pentney.

[1] Dugdale's Chron. Ser. [2] Rot. Claus. ii. 25.
[3] Le Neve, 189.; Rot. Claus. i. 573., ii. 8. 77.

Oliver was the second of seven sons of Robert de Vaux, and, on the death of his elder brother without issue, succeeded to the estate.[1] In 9 John is a curious entry, authorising the constable of Winchester Castle to permit Jordan de Bianney, a knight whom he had in custody, to go out of his prison twice a day or more, "ad eskermiandum," so that he retained Oliver de Vaux in his place till his return, when Oliver might be discharged. A caution, however, is given to the constable, as he loves his goods and his body, to keep Jordan safe.[2] In 12 John he accompanied the king to Ireland[3]; but afterwards joining the barons in their hostile measures against him, all his possessions were seized and distributed among the adherents to the royal cause. Early in 2 Hen. III., he obtained their restoration; and in 10 Henry III. his name appears at the head of those selected to assess the quinzime for Norfolk and Suffolk.[4] He was appointed to act as a justice itinerant in two of the commissions which were issued on August 1, 1234, 18 Henry III.: one in Norfolk and Suffolk; and the other in the counties of Cambridge, Huntingdon, and Middlesex.[5]

The date of his death is not recorded, but he lived beyond 29 Henry III., 1245, when he is mentioned in the pipe roll. By his wife Petronilla, the widow of Henry de Mara and also of William de Longchamp, he left several sons. The succession of this barony devolved on the eldest, on the death of whose two sons, William and John, without male issue, (the latter of whom will be noticed as a justice itinerant in the next reign), it fell in abeyance between the daughters of the survivor, in 1288. Oliver's fourth son, Roger de Vaux, however, was the lineal ancestor of Nicholas Vaux, who was

[1] Dugdale's Baronage, i. 526.
[2] Rot. Claus. i. 88.
[3] Rot. de Præstit. 182. 200. 226.
[4] Rot. Claus. i. 235. 252., &c., 374., ii. 146.
[5] Dugdale's Chron. Series.

created Baron Vaux of Harrowden, in Northamptonshire, by Henry VIII., in 1523, a title which fell into abeyance for want of male heirs in 1662, but which her present majesty Queen Victoria revived on March 12, 1838, in favour of George Mostyn, the senior co-heir.[1]

VERDUN, JOHN DE.

JUST. ITIN. 1260.

JOHN DE VERDUN was the son of Theobald le Butiller, and his wife Roese de Verdun, the daughter and sole heir of Nicholas de Verdun, and the granddaughter of Bertram de Verdun, already noticed under the reign of Henry II. Being heir of the barony and of the large possessions attached to it, she retained her surname, which continued to be borne by her descendants. She died in 31 Henry III., 1247, on May 3 of which year John fined 1300 marks for livery of her lands.[2] He was among the twelve who were appointed at the parliament of Oxford in 1258 to treat for the whole community on the common business, and as a baron-Marcher was, in 44 Henry III., 1260, called upon to resist the incursions of the Welsh. In the same year he was constituted one of the justices itinerant for Shropshire, Staffordshire, and the neighbouring counties.[3] He stood on the part of the king in the subsequent troubles, and was employed in pursuing such of the rebellious barons as held out after the battle of Evesham. In 54 Henry III., he took the cross with Prince Edward, and the next year went to the Holy Land. He died on October 21, 1274, 3 Edward I., leaving Alianore, his second wife, surviving. His first wife was Margerie, the daughter of Gilbert de Lacy, and heir to her grandfather, Walter de Lacy.[4] By her he had a son, Theobald, who

[1] Burke's Peerage.
[2] Excerpt. e Rot. Fin. ii. 11.
[3] Dugdale's Chron. Series.
[4] Excerpt. e Rot. Fin. i. 446.

succeeded him and was summoned to parliament; on the death of whose son, also Theobald, the barony fell into abeyance among his four daughters.[1]

VERDUN, WALTER DE.

Just. Itin. 1219.

It does not appear what was the connection between Walter de Verdun and the noble family of that name noticed above. He was probably a junior branch of it, and was in King John's service in the eleventh and twelfth years of his reign, accompanying him to Ireland in the latter.[2] In 16 John, he and Robert de Courtenay were sent into Shropshire for the defence of that county, and the custody of the castle of Bridgenorth was committed to them.[3] In 1 Henry III., he held the office of one of the escheators of Lincolnshire[4]; in the next year he seems to have had the custody of the Tower of London[5], and in 3 Henry III. was Sheriff of Essex and Hertfordshire.[6] In that year also a fine was levied before him and his associates, justices itinerant, at Westminster; and he again was selected to perform the same duties in 9 Henry III., for the county of Oxford.[7] Between the two last dates his services were required in a diplomatic capacity; being sent to Rome in 4 Henry III. with Master Humphrey de Millyrs, and in the next year to Poictou.[8] His death occurred in 13 Henry III., 1229, in March of which year his son Ralph was admitted to the seisin of his land at Blokesham in Oxfordshire, on the payment of a relief of a hundred shillings.[9] Half of that manor had been given to him by King Henry, together with

[1] Dugdale's Baronage, i. 473.
[2] Rot. Misæ, 11 John, 128.; Rot. de Præst. 12 John, 193. 213. 223. 241.
[3] Rot. Pat. 136.
[4] Rot. Claus. i. 313. 320.
[5] Ibid. 158.
[6] Ibid. 384. 525.
[7] Dugdale's Chron. Series.
[8] Rot. Claus. i. 433. 477.
[9] Excerpt. e Rot. Fin. i. 182.

lands in Ebblebury and Middlecombe in the same county; and in 17 John he had a royal grant of the manors of Newenham and Norton in Kent.[1]

VERE, ROBERT DE, EARL OF OXFORD.

JUST. ITIN. 1220.

ROBERT DE VERE, the third earl of Oxford, was grandson of Alberic de Vere, the great chamberlain of Henry I., of whom some account has been given in that reign. Robert succeeded his brother Alberic, the second earl, on his death without issue, about October, 1214, 16 John.[2] They were both sons of Alberic, the first earl, by Lucia his wife, who became first prioress of Heningham in Essex, founded by her husband.

After his brother's death, Robert joined the rebellious barons, for which he was not only excommunicated[3], but had his lands seized into the king's hands in May, 1215. In the following June, however, they were restored to him; but before the end of the year he again fell off from his allegiance, and again was in negotiation for a return to favour, which does not appear to have been completed at the king's death. But soon after the accession of Henry III. this was accomplished, and the whole of his possessions were once more put into his hands.[4]

Dugdale introduces him as a justicier in 4 Hen. III., 1220, on the authority of fines acknowledged before him from the Easter of that year to the same festival in the following.[5] As none of these fines are stated to have been levied at Westminster, and as there is no evidence of his having on any other

[1] Rot. Claus. i. 229. 381., ii. 6. 10.
[2] Rot. Claus. i. 173.
[3] Roger de Wendover, iii. 297. 355.
[4] Rot. Claus. i. 115. 215. 234. 241. 337.; Rot. Pat. 171, 172.
[5] Dugdale's Orig. Jurid. 42., and Chron. Ser.

occasion acted in the king's court, there may be some reason to doubt whether he was more than a justice itinerant before whom fines were frequently levied on the circuits. He was certainly at the head of the itinerant justices sent in the following year into Hertfordshire[1], and not improbably had previously acted in a similar commission, at the head of which noblemen were frequently placed. Still it is to be remembered that from the death of his father in 1194, till that of his brother in 1214, he held the position of a younger son, and may therefore have adopted the profession of the law as an honourable means of support, and been eventually advanced to a seat on the bench.

He died in October in the following year, 1221, leaving his son Hugh a minor. His wife, Margaret de Bolebec, afterwards married Henry de Nuvant, and died in 1245.[2]

VERNON, WILLIAM DE.

Just. Itin. 1219.

It does not appear how William de Vernon was related to his namesake, the Earl of Devon. He was a knight of the county of Lancaster, and was at the head of a body of archers in 5 John.[3] A few years afterwards he was imprisoned for some offence, and paid a fine of twenty marks for his release.[4] He accompanied the king to Ireland in 12 John[5]; and was attached to the service of William, Earl Ferrers, under whom he held various lands in Nottingham and Derby. He had also other possessions in Berkshire, Oxfordshire, Buckinghamshire, Staffordshire, and Lancashire.[6] It was probably in respect to the latter that he was appointed, in 3 Henry III., 1219, one of the justices

[1] Rot. Claus. i. 444. 473.
[2] Excerpt. e Rot. Fin. i. 74, 75. 101. 435.
[3] Rot. de Liberat. 78.
[4] Rot. de Finibus, 416.; Rot. Claus. i. 99.
[5] Rot. de Præstit. 218.
[6] Rot. Claus. i. 206. 245. 389 430. 517. 531. 631.

itinerant for the northern counties[1]; an office which he afterwards exercised in 1225, 9 Henry III., in Nottingham and Derby.[2] The last notice I find of him is in 11 Henry III., when he was excused the scutage on his property in those counties.[3]

VETERI PONTE, ROBERT DE.

JUST. ITIN. 1218.

See under the Reign of John.

THE ancestor of Robert de Veteri Ponte (Vieuxpont, or Vipont) was of the same name, and flourished in the reign of the Conqueror. Being killed in battle in 1085, another Robert, supposed to be his son, is introduced in 1107, 7 Henry I., as present at the raising of the siege of Antioch. In the same reign, 31 Henry I.[4], a William de Vipont occurs in a contest for certain lands in Devonshire, to be determined by battle. Whether he was the son of Robert is not stated; but in 4 John, as full possession of the lordship of Vipont in Normandy was given to him, as his brother Robert had when he went into France after the war. Of the last-mentioned Robert it is said that in 5 Henry II., 1159, he paid twenty marks to have a trial of his lands in Devonshire; and that in 12 Henry II., 1166, he had eight knights' fees of the honour of Totness. So far the story is told from Dugdale's Baronage, (vol. i. p. 347). But when he proceeds to relate of this same Robert the facts that apply to Robert de Veteri Ponte, the subject of this notice, some doubt may be entertained whether they are not different individuals; inasmuch as, considering that the death of the latter did not

[1] Dugdale's Chron. Ser.; Rymer's Fœd. i. 154.

[2] Rot. Claus. ii. 77. [3] Ibid. 204.

[4] Dugdale places this fact in the reign of Stephen, quoting Rot. Pip. 5 Steph. That record, however, has been subsequently proved to belong to 31 Henry I. See antè, vol. i. p. 76.

occur till 1228,. the interval appears too long from 1159, when he was old enough to contest the possession of his lands, to warrant a presumption that they were identical.

Be this as it may, there is no doubt that this Robert held an office in the Treasury at the beginning of the reign of King John, and probably at the end of that of Richard I. The Rotulus Cancellarius of 3 John makes him account for several ferms in Northamptonshire and Nottinghamshire, for the 9 and 10 Richard I. In 2 John he obtained the custody of the land and heir of Richard de Scirington, in Buckinghamshire[1]; and in the same year the necessaries for the queen and her company, at Marlborough, were ordered to be provided "per testimonium Roberti de Veteri Ponte." Similar entries are recorded in 3 and 5 John.[2] From this time the rolls contain numerous orders to him to pay money from the treasury, showing his connection with that department. They evidence also his continual attendance on the king, and that prisoners taken in the French war were in his custody.[3]

That his services were at this time highly appreciated by his royal master, ample proof is given by the grant he received, in 4 John, of the castles of Appleby and Burgh, with the barony of the former, including divers manors and castles, among which was Brougham Castle. To these was added the sheriffwick of the county of Westmoreland[4], which remained in his family long after the male branch of it became extinct. In 5 John the castle of Bowes, in Richmondshire, was committed to him, and was delivered to his nephew Eudo to keep[5]; and various other evidences are recorded of the favour which he then enjoyed. In that year,

[1] Rot. de Oblatis, 2 John, 129.
[2] Rot. de Liber. 2 John, 7. 15.; Rot. Cancell. 3 John, 306.
[3] Rot. Pat. 4 John, 9. 12, 13, 14, 15. 21. 23.
[4] Rot. Pat. 4 John, 25. 27. [5] Rot. de Liber. 5 John, 63.

also, the bailiwick of Caen, in Normandy, was committed to his charge, as that of Rouen had been in the previous year.[1] In the following year he was appointed constable of Nottingham Castle, with the sheriffalty of that county and of Derby[2], in which he continued till 11 John.

Up to this period he does not appear to have acted in a judicial capacity: but in 8 John, Mr. Hunter introduces him into his list of justiciers before whom fines were acknowledged. As his name does not occur in any of the fines of the counties hitherto published, it is uncertain whether they were levied at Westminster or in the country. It is not improbable that he performed this duty in one of his journeys with the king, who frequently was himself present on these occasions. This, however, was the sole year in John's reign in which he is so noticed. During the remainder of it, he was actively engaged in many responsible and important trusts.

In 9 John, he had the custody of the bishoprick of Durham; and had a patent of approval and confirmation of the sale he had made of the woods, and the terms on which he had let the lands, of the Archbishop of York.[3] From 12 to 17 John, he held the sheriffalty of Devonshire; and from 12 to 15 John, that of Wiltshire. He accompanied the king to Ireland and Wales in 12 John[4]; and adhered to him both during the interdict, and in his subsequent wars against the barons.[5] The king's son, Richard, was committed to his charge, to be taken to his father[6]; and in 17 John he was entrusted with the custody of the castles of Carlisle and Durham, together with the county of Cumberland, and all the manors on the Tyne and the Tees[7]; and, with Brian de

[1] Rot. Pat. 4 John, 26., 5 John, 33.
[2] Ibid. 6 John, 46.
[3] Ibid. 9 John, 76. 81.
[4] Rot. Misæ, 141—231.
[5] Roger de Wendover, iii. 237. 301.
[6] Rot. Pat. 15 John, 104.
[7] Rot. Claus. i. 225.; Rot. Pat. 152. 163.

Insula and Geoffrey de Luci, was appointed the king's lieutenant of all the castles and other royal possessions in Yorkshire.[1]

The first notice under the reign of Henry III. is a grant to him of the manor of Hardingesthorn in Northamptonshire, which belonged to his brother Yvo, who had joined the insurgent barons[2]: a grant probably made with a view to its ulterior restoration to his brother. He was among the loyal barons at the siege of the castle of Montsorel, and assisted in the relief of Lincoln[3]; receiving in reward the forfeited possessions of several of the rebels. In 3 Henry III. he was made Sheriff of Cumberland; and was also selected as one of the justices itinerant in the counties of York and Northumberland; and again performed the same duty in 10 Hen. III. in Yorkshire. Dugdale adds that fines were levied before him in the following year. Roger de Wendover states that he was one of the barons who continued to plunder after the termination of the war with Louis of France; and that after some resistance, he was obliged, in 1224, to deliver up to the king the castles he had in his custody.[4] The above appointments, however, as justice itinerant, with several instances of favours and employments conferred upon him about the same time, manifest no great animosity on the part of the government. Thus, in 7 Henry III., 1222, five bucks and fifteen does were given to him from the forest of Clive for his park at Isenden; two years afterwards, his debts to the king were respited from February to Michaelmas; and in the ensuing May, the quinzime of Westmoreland and of the bishoprick of Carlisle was directed to be collected under his conduct.[5]

He died in 12 Henry III., previous to March 2, 1228, leaving his wife surviving, who was Idonea, the daughter of

[1] Roger de Wendover, iii. 353.
[2] Rot. Claus. 1 Henry III., i. 299.
[3] Roger de Wendover, iv. 15. 19.
[4] Ibid. 34. 93.
[5] Rot. Claus. i. 518., ii. 15. 75.

John de Builly, Lord of Tickhill, and who lived till October, 1242. By her he had a son named John, a minor at his father's death, who died a few months before his mother, leaving a son Robert, on whose death, without male issue, in 49 Henry III., at the battle of Evesham, his possessions, though seized by the king, were regranted to his two daughters, one of whom, Isabel, married Roger de Clifford, a justice itinerant in this reign, ancestor of the present Baroness de Clifford, and of Lord Clifford of Chudleigh; and the other, Idonea, married first Roger de Leyburn, and secondly John de Cromwell.[1]

VEYM, RICHARD DE.

JUST. ITIN. 1225.

THE county in which Richard de Veym was appointed, in 9 Henry III., 1225, to act as a justice itinerant was Gloucestershire, where his property was situate. During the troubles at the end of King John's reign, his land had been given to Robert de Vernay; but it may be presumed it was afterwards restored to him. The last occurrence of his name is on his being selected in 10 Henry III. as one of those who were to assess and collect the quinzime of the county.[2]

ULECOT, JOHN DE.

JUST. ITIN. 1229.

JOHN DE ULECOT was probably a younger branch of the same family as the under-mentioned Philip de Ulecot; and from the employments which he is recorded to have held seems to have been a retainer of the court. He was subsheriff of Northamptonshire in 6 John, under Walter de

[1] Dugdale's Baron. i. 347.; Nicolas's Synopsis.
[2] Rot. Claus. i. 262., ii. 64. 76. 147.

Preston, and of Cambridge and Huntingdon for four years, from 5 Henry III., under Faukes de Breaute. The only time he acted as a justice itinerant was in 14 Henry III., 1229, when he was appointed for Sussex and Rutland. Ten years afterwards he and Everard de Trumpington, probably as the king's escheators, were commanded to extend the lands of John, late Earl of Chester and Huntingdon, beyond the county of Chester, and cause the same to be divided among the heirs of the earl.[1]

ULECOT, PHILIP DE.

JUST. ITIN. 1219.

PHILIP DE ULECOT was a northern knight of great power and possessions; and was fined 100*l.* and a complete horse in the first year of King John's reign for his marriage with Johanna, the sister of the wife of Sewel Fitz-Henry; part of which fine was subsequently remitted.[2] In 5 John he was actively in the service of the king, and was appointed constable of Chinon, in Touraine.[3] It would appear that he was taken in battle, as the king gave him two hundred marks for his redemption[4]; a very large sum in those times, and showing by the demand his value as a knight, and by the payment the extent of the royal favour. In this he gradually advanced, and in 14 John was invested with the office of forester of Northumberland, with a grant of the manors of Naffertun, Matefen, and Lewarletre, and some houses in Newcastle-on-Tyne.[5] To these was added, in the same year, the sheriffalty of that county, in conjunction with the Earl

[1] Fuller's Worthies; Madox's Exch. i. 226.; Dugdale's Chron. Series; Excerpt. e Rot. Fin. i. 318.

[2] Rot. de Oblatis, 1 John, 5.; Rot. de Liberat. 25.

[3] Rot. Pat. 40.

[4] Rot. Claus. 2 John, i. 82.

[5] Rot. Chart. 190.

Warren and the Archdeacon of Durham; who, with him, were also appointed custodes of the bishoprick of Durham during its vacancy.[1] The sheriffalty he then held alone for the remainder of this and the first four years of the reign of Henry III. In 1216, King John having constituted him and Hugo de Bailiol governors of all the country to the north of the Tees, they stoutly defended the castles committed to their charge from the attacks made upon them by the King of Scots in behalf of Louis of France.[2]

Soon after the accession of Henry III. some quarrel seems to have occurred between him and Roger Bertram, for they were both summoned to appear before the council, and shortly afterwards the Sheriff of Nottingham was commanded to seize his lands if he did not give up the castle of Midford to Roger, according to the king's frequent commands.[3] His favour was soon restored, for in the very next month the manor of Corbrig was assigned for his support while in the king's service[4]; which was followed by various other grants. In 3 Henry III. he was one of the justices itinerant in the three northern counties[5], and in the next year he received the appointment of Seneschall of Poictou and Gascony; and for his conveyance thither the barons of Hastings were ordered to provide him three good ships.[6] In this service he died, and the king, in a mandate dated November 2, 1220, 5 Henry III., announcing his death to the Sheriff of Northumberland, calls him "dominus tuus"[7], showing that he still continued governor of the northern district. Leaving no children, his five sisters were his heirs. His widow was married before the following February to Oliver de Albini, and again four years afterwards to Walter de Godarvill.[8]

[1] Rot. Pat. 93—94.; Rot. de Finibus, 476., &c.
[2] Roger de Wendover, iii. 352. 379.
[3] Rot. Claus. i. 336. 357.
[4] Ibid. 360.
[5] Dugdale's Chron. Ser.
[6] Rot. Claus. i. 430. 433.
[7] Excerpt. e Rot. Fin. i. 56.
[8] Rot. Claus. i. 466. 449., ii. 20.

UPSALE, GEOFFREY DE.

? Just. Itin. 1270.

Among the justices itinerant for pleas of the forest only, who went into the northern counties in 54 Henry III., 1270, the name of Geoffrey de Upsale occurs[1]: but he never appears to have been engaged in general judicial duties. He was of a Yorkshire family.[2]

WALEIS, WILLIAM LE.

Just. Itin. 1225.

Of William le Waleis nothing more is recorded than that he was one of the justices itinerant for Dorsetshire in 9 Henry III., 1225; and that in the next year he was appointed to assess and collect the quinzime in that county.[3] It was probably his son who, in 32 Henry III., went into Gascony, and was thereupon permitted to pay 100*l.*, which his wife Johanna had fined for the king's permission to marry whom she pleased, by annual instalments of 20*l.* each.[4]

WALERAND, ROBERT.

Just. 1251.

Robert Walerand was a favourite of King Henry III., and frequently employed in his service, particularly in the Welsh wars. The rolls contain frequent proofs of the confidence reposed in him, and of the favour he enjoyed. In 30 Henry III., 1246, he had the custody of the lands and castles of William Mareschall, late Earl of Pembroke; and in the next year those of John de Munchanes. In

[1] Dugdale's Chron. Series.
[2] Excerpt. e Rot. Fin. ii. 419.
[3] Rot. Claus. ii. 76. 147.
[4] Excerpt. e Rot. Fin. ii. 38.

34 Henry III., 1250, the castles of Carmarthen and Cardigan, with the lands of Meilgon Fitz-Meilgon, were committed to his charge at the small annual rent of forty marks; and three years afterwards he paid a fine of forty shillings of gold for the marriage of Beatrice, the daughter of Robert de Brus.[1]

From June, 1251, 35 Henry III., there can be little doubt that he was a regular justicier, many entries occurring on the Rotulus de Finibus of payments made for assizes to be taken before him. These continue, with slight interruption, till August, 1258, 42 Henry III.[2]

He is described as the king's seneschall in 36, 38 and 40 Henry III.[3]; and in 44 Henry III. he had had the custody of the abbey of St. Edmund long enough to be in arrear two hundred marks, and had been allowed to place his brother John as his deputy there. In the following year he was custos of the forest of Dean, and also Sheriff of Kent.[4]

It probably arose from his attending the court as seneschall that in the next year, 46 Henry III., 1262, the great seal was temporarily put into his and Imbert de Munster's hands during the chancellorship of Walter de Merton; for neither of them had anything to do with the Chancery; and within a month it was under the care of John de Chishull.[5]

The Earl of Leicester's ravages in 1263 were specially directed against him as one of the king's chief favourites[6]; but after Henry regained his authority he resumed his former position, and received some compensation for his losses in a grant of all the cattle on the lands in Blenleveny, in Wales, belonging to Peter de Montfort at the time of the

[1] Excerpt. e Rot. Fin. i. 458., ii. 14. 87. 158.
[2] Ibid. ii. 107—286.
[3] Fourth Report Pub. Rec., App. ii. 160.; Rymer's Fœd. i. 308. 342.
[4] Excerpt. e Rot. Fin. ii. 358.; Hasted's Kent, i. 181.
[5] Hardy's Catalogue.
[6] Rapin's England, iii. 147. note.

battle of Evesham.[1] In 50 Henry III. he had a grant of the wardship of the manors of Robert de Kaynes till he attained his majority; and from April, 1268, 52 Henry III., till August, 1271, 55 Henry III., the frequent entries of assizes to be held before him, prove that he was restored to his place on the bench.[2]

The family of Walrond, of Bradfield and Knightshayes, in Devonshire, probably descended from him or his brother John.[3]

WARENNE, JOHN DE, or PLANTAGENET; Earl Warren, and Earl of Surrey.

Just. Itin. 1260.

The Earls of Surrey were at this time generally styled Earls Warren, from their original ancestor, William de Warenne, who has been mentioned in the reign of King William I. The grandson of the first William died in 1148, leaving a daughter, named Isabel, who took for her second husband Hameline Plantagenet, a natural son of King Henry II.'s father, Geoffrey, Earl of Anjou. By him she left a son, named William, who succeeded to the earldoms and married Maud, sister and one of the coheirs of Anselm Mareschall, Earl of Pembroke, and widow of Hugh Bigot, Earl of Norfolk. They were the parents of the Earl John, the subject of this notice, and of a daughter, who married Hugh de Albini, Earl of Arundel.

At the time of his father's death, in 1240, 24 Henry III., John was a minor[4], but attained his full age before 1248, when he sat with the rest of the earls in the parliament held in London.

[1] Dugdale's Baronage, i. 409.
[2] Excerpt. e Rot. Fin. iii. 441. and 468—546.; Abbrev. Placit. 182.
[3] Burke's Landed Gentry.
[4] Excerpt. e Rot. Fin. i. 338. 447.

The only time he acted as a justice itinerant was in 44 Henry III., 1260, when he headed the commission into Somersetshire, Dorsetshire, and Devonshire.[1]

In the contests between the king and the barons he sided with his sovereign, but is stated to have fled from the battle of Lewes. He redeemed his character, however, at Evesham, where the barons were defeated. During the rest of this reign, little worthy of note is recorded of him, except the violent attack he made in Westminster Hall on Alan de Zouché and his son, occasioned by some contest between them relative to the title to certain land, in which he killed the former and wounded the latter; and for which he was compelled to make satisfaction, and was fined ten thousand marks, part of which he was afterwards pardoned in the next reign.

He lived during thirty-two years under King Edward, and signalised himself on various occasions against the Welsh and Scotch, by the latter of whom, after several successful campaigns, he was eventually defeated in 25 Edward I.; but peace between the two countries was declared the next year. Not only was he a loyal supporter of his sovereign's rights, but a bold assertor of his own. When he was asked by the judges, under the recent statute enacted at Gloucester, called Quo Warranto, by what title he held his lands, he drew his sword, and said, "This is my warranty! My ancestors coming into this land with William the Bastard did obtain their lands by the sword, and by it I am resolved to defend them." Another time, when questioned as to the authority under which he claimed free warren in Wurth and other lands in Sussex, he pleaded that all his ancestors had adhered to the kings of England; that when Normandy was lost, where they were earls, they also lost their lands there, because they would not join the king of France

[1] Dugdale's Chron. Series.

against King John; that in compensation they had grants of other lands in England, with the privilege of free warren over them, in regard of their surname *de Warenne:* and his plea was allowed.

So highly were his services valued by the king, that on his death on September 27, 1304, 32 Edward I., a royal precept was directed to the bishops and abbots to recommend prayers for his soul, and indulgences were granted to those who joined in them. He was buried in the abbey of Lewes.

He married Alice, daughter of Hugh le Brun, Earl of March, by Isabel, the widow of King John, and consequently half-sister to Henry III. By her he had a son and two daughters. Alianor, the elder daughter, married Henry, Lord Percy, and Isabel, the younger, became the wife of John Bailiol, afterwards King of Scotland. His son William died in his father's lifetime, leaving a son, named John, who succeeded to the title. On John's death, without issue, in 1347, his sister, Alice, the wife of Edmund, Earl of Arundel, became his heir; and the title still survives in her descendant, the present Duke of Norfolk.[1]

WARWICK, Earl of. *See* John de Plessetis.

WATSAND, ALAN DE.

Justr. 1246.

Matthew Paris calls Alan de Watsand "Clericus Regis;" but if he were so, it is curious that he is never styled "Magister" in the records, as some of his contemporaries of the clerical profession were; Simon de Wauton, for instance. He was raised to the bench about Michaelmas, 1246, 30 Henry III., and sat there till his death, which

[1] Dugdale's Baronage, i. 73—81.; Nicolas's Synopsis of the Peerage.

occurred in November or December, 1257, 40 Henry III., up to which former month there are entries of payments for writs of assize to be taken before him. His presence in the acknowledgment of fines extends from Michaelmas 30, to Michaelmas 38 Henry III.; but he does not appear to have gone the circuit later than 1252, 36 Henry III.[1] His name is often written Wassand.

WAUTON, JOHN DE.

JUST. ITIN. 1225.

JOHN DE WAUTON, by his marriage with Alice, the sister and heir of Odo de Dammartin, became possessed of lands in the counties of Surrey, Norfolk, and Suffolk. By a mandate in 1 Henry III. for the restoration of his estates, it would appear that he had been an adherent to the barons in the last years of King John, and so had lost them. His name ought scarcely to be included in the list of justices itinerant; for although, in 9 Henry III., 1225, he was one of those at first appointed for Surrey, Martin de Pateshull, who was at the head of the commission, was afterwards desired to put another in his place, as he was not able to be present. He died about September, 1230, 14 Hen. III., leaving an infant son of the same name.[2]

WAUTON, SIMON DE, afterwards BISHOP OF NORWICH.

JUST. ITIN. 1246. JUST. 1247. ? CH. JUST. 1257.

"MAGISTER SIMON DE WAUTON," as he is invariably called, was born at Wauton, or Walton Deyville, in Warwickshire.[3]

[1] Dugdale's Orig. Jurid. 43., and Chron. Series; Excerpt. e Rot. Fin. ii. 6—219.; Abbrev. Placit. 126.

[2] Rot. Claus. i. 324., ii. 37. 76. 83.; Excerpt. e Rot Fin. i. 202. 227. 256.

[3] Blomefield's Norwich, i. 492.

He was brought up to the clerical profession, to which, according to the fashion of the times, he united the study of the law. In 7 John, when he was described as the king's clerk or chaplain, he had a grant of the church of St. Andrew in Hastings; and in the two following years received letters of presentation to the churches of Slapton and Colered.[1]

In 30 Henry III., 1246, he was selected as one of the justices itinerant into the northern counties, and performed the same duty again in 1249 and 1250 in other parts of England, without holding a very prominent place in the list. Dugdale does not introduce him among the regular justiciers till the year 1251, when he calls him a justice of the Common Pleas, on the authority of a fine levied before him in Michaelmas of that year, 35 Henry III.[2] It is evident, however, that he was holding that position as early as June, 1247, 31 Henry III., as the fine rolls contain entries of payments for assizes to be taken before him of that date, which are regularly continued till May, 1257, 41 Henry III.[3], just before he was elected to the bishoprick of Norwich; and he received the acknowledgment of fines till about the same period.[4]

It would thus appear that he was raised to the judicial bench in 31 Henry III., 1247. In his circuits of 1253 and 1255, 37 and 39 Henry III., he stood at the head of his commissions, except that an abbot was placed for ornament before him in the last. On April 13, 1257, 41 Henry III., Robert de Briwes was ordered to be associated with Simon de Wauton, "et sociis suis, justiciariis de Banco," from which it may be conjectured that he was then at the head of the court. In the following August he was confirmed Bishop of Norwich, after which he does not appear to have acted on

[1] Rot. Pat. 61. 68. 75.
[2] Dugdale's Chron. Series.
[3] Excerpt. e Rot. Fin. ii. passim; Abbrev. Placit. 127. 132. 143.
[4] Dugdale's Orig. Jurid. 43.

the legal bench. He presided over that see till his death on January 2, 1265, without performing any thing in his diocese which episcopal biographers have deemed worthy to record, except that on his election he obtained the Pope's permission to retain all his ecclesiastical preferments *in commendam* for four years.[1]

WELLES, WILLIAM DE.

JUST. ITIN. 1225

WILLIAM DE WELLES held three parts, or as another record says, the whole, of a knight's fee in Grimsby, in Lincolnshire, of the honor of Richmond. He was one of the adherents of the barons at the end of John's reign, and still continued so at the commencement of that of Henry III., for his land was then given to Fulco de Oyri. Soon afterwards, however, it was restored to him on returning to obedience; and it appears that in 5 Henry III. he was employed as one of the escheators of his county. He was next appointed a justice itinerant there in 9 Henry III.[2]; after which his name is not mentioned till his death in June, 1261, 45 Henry III., when his son and heir Thomas (by his wife Emma), did homage for the lands he held of the king, and paid six marks for his relief.[3] His descendants were summoned to parliament from 27 Edward I., 1299, till 1503, when the barony fell into abeyance among the representatives of four females.[4]

WELLS, ARCHDEACONS OF. *See* HUGH DE WELLS, PETER CHACEPORC.

[1] Godwin de Præsul. 431.; Weever, 790.; Le Neve, 209. These authors all call him Simon de Wanton, or Walton: the first name being a manifest blunder, originating probably from an early misreading of *n* for *u*.

[2] Rot. Claus. i. 309. 324. 385. 471., ii. 77.; Rot. de Finibus, 17 John, 588.

[3] Excerpt. e Rot. Fin. ii. 353.

[4] Dugdale's Baronage, ii. 10.; Nicolas's Synopsis of the Peerage, 679.

WELLS, HUGH DE, Archdeacon of Wells; afterwards Bishop of Lincoln.

Just. Itin. 1219.

See under the Reign of John.

Hugh de Wells, so called from the place of his birth, was a brother of Josceline de Wells, Bishop of Bath and Wells.[1] He is sometimes corruptly called Wallis. The Rotulus de Oblatis of 1 John shows that he held an office in the Camera Regis, as it records several payments made to him there. In the next year he and Hugh de Bobi were appointed custodes of the see of Lincoln[2], then vacant; an office frequently bestowed on those connected with the Exchequer. In 3 John he paid a fine of three palfries for the grant of a charter of liberties to his native place, with fairs and markets.[3] His abilities soon attracted such notice, that in 5 John he was sent into Normandy on the king's service with the Master of the Temple, a good and secure ship being ordered for their voyage.[4] In this mandate he is styled "Clericus noster," so that he was then one of the king's chaplains; and in April of the same year, 1204, he was preferred to the dignity of Archdeacon of Wells.[5] Several other benefices were afterwards conferred upon him, and grants were made to him of the manors of Ceddra and Axebrige, in Somersetshire, and of the custody of the lands and heirs of Geoffrey de Everecrez and Richard Cotel.[6] Ultimately, on December 12, 1209, 11 John, he was elevated to the see of Lincoln. At this point he lost the royal favour, by disobeying the king's commands to obtain confirmation from the Archbishop of Rouen. Instead of doing this, he proceeded to Langton, Archbishop of Canterbury, and received that rite from him; whereupon

[1] Rot. Chart. 154.
[2] Ibid. 99.
[3] Rot. de Oblat. 179.
[4] Rot. de Liberat. 77. 81.
[5] Le Neve, 43.; Rot. Chart. 127.
[6] Ibid. 129. 154.

the king seized the temporalities of the bishoprick, and detained them for five years. Roger de Wendover adds to this, that he was at that time Chancellor, and that the king immediately removed him from his office, and delivered the Great Seal to Walter de Grey. This relation, however, is altogether erroneous, because Walter de Grey had purchased the chancellorship in October, 1205, held it at this very time, and continued to hold it, with one short interval, till July, 1214. Matthew Paris, following Roger de Wendover, also calls him chancellor when he was raised to the episcopal bench; and Dugdale, Philipot, and Spelman all unite in giving him that title. Dugdale quotes as his authority a charter of 6 John: but there is no charter which so distinguishes him. There are, indeed, many charters of that year which are subscribed "Data per manum Hugh de Welln. archid. Wellens."; but this merely shows that he was the official instrument for the chancellor of the time; and three or four others were employed in similar duty at the same period. On the roll there are several charters that were so signed by him and John de Brancestre, jointly, as early as 2 John; and his separate authentication of charters appears under two successive chancellors, Archbishop Hubert and Walter de Grey, from July, 5 John, 1203, till April, 10 John, 1209. This long period of nearly five years, during which he was in constant official attendance on the court, accounts for the mistake of the historians; but the antiquary ought to have known that no one record ever describes him as chancellor. Mr. Hardy introduces him as keeper of the seal under the two above-named chancellors: but he seems rather, as others also who performed the same duty, to have been an officer of the Treasury of the Exchequer, where the seal was usually deposited, or a clerk of the Chancery, to whom the formal duty of affixing it on these occasions was delegated.

It is worthy remark, that in 6 John he was one of the

justiciers at Worcester before whom fines were levied, described by his ecclesiastical title only, which would not have been the case had he been either chancellor or vice-chancellor. So also in 9 and 11 John, in the latter of which years he is styled "Lincolniæ Electus."[1]

To avoid the king's fury, the bishop had fled from England, but returned with his brethren after the removal of the interdict. Disgusted with the tyranny of the king, he joined with the barons who resisted it; and, as his reward, was in his turn excommunicated by the pope, who now supported the monarch whom he had forgiven. He could only obtain absolution by a fine of one thousand marks to the pontiff, and a bribe of one hundred to the legate. He had the gratification of being present on the glorious day of Runnymede, as Wendover slyly adds, "*quasi* ex parte Regis."

After the accession of Henry III., he was at the head of the justices itinerant for the counties of Lincoln, Nottingham, and Derby, in 1219, and for the two latter counties in 1226. In 1225 he was employed in an embassy to France in conjunction with the Bishop of London.

Having held the bishoprick for nearly a quarter of a century, he died on February 7, 1234. Roger de Wendover harshly calls him "omnium virorum religiosorum inimicus;" but the hospital which he and his brother, Bishop Josceline, built at Wells, and his legacy of five thousand marks for pious uses, may reasonably prompt us to receive such a charge with some qualification. He was buried in his own cathedral.

There was another Hugh de Wells, to whom the vicarage of the church of Etendon, belonging to this Hugh the Archdeacon, was presented.[2] He probably was the person

[1] Fines of Richard I. and John.

[2] Rot. Chart. 176.

by whom various payments recorded on the Misæ roll[1] of 11 John were made.[2]

WELLS, JOSCELINE DE, BISHOP OF BATH AND WELLS.

JUST. ITIN. 1218.

See under the Reign of John.

JOSCELINE DE WELLS, brother of Hugh de Wells, Bishop of Lincoln, was born and educated at Wells; from which place, as was common among the clergy, he took his name, and was a canon of the church there. By a liberate of 5 John, 1203–4, it appears that he had been one of the custodes of the bishoprick of Lincoln during its vacancy[3], from which it may be inferred that he held some office in the Exchequer, or the Camera Regis. In the same and in the following year, his name is recorded among the justiciers before whom fines were levied at Westminster, and also in the country when the king was present.[4] Mr. Hardy introduces him at this time as keeper of the great seal, on the authority of a charter of 6 John given under his hand: but it may be questioned whether this fact is of itself sufficient evidence to warrant such a presumption, as others were performing the same duty at the same time, and as neither in the charter nor in the contemporary fines is he distinguished by that designation. His name appears in the same manner to numerous other charters between February, 6 John, and September, 7 John, 1205, during the greatest part of which period Hubert, Archbishop of Canterbury, was chancellor; for whom, as an officer of the Chancery or the Exchequer, he probably took his turn of duty in affixing the seal.

[1] Rot. Misæ, 116. 119. 124. 134.

[2] Godwin de Præsul. 288.; Le Neve, 139.; Roger de Wendover, iii. 228. 231. 260. 302., iv. 324.; Trivetus, 182.

[3] Rot. de Liberate, 97.

[4] Fipes of Richard I. and John.

About this period he had various benefices conferred upon him[1], and on May 28, 1206, 7 John, he was consecrated Bishop of Bath and Wells, or rather Bishop of Bath and Glastonbury, for it was not till his time that the contest with the monks of Glastonbury was terminated, and the union of Bath and Wells permanently established. He, with the other bishops, was compelled to absent himself from England during the five years which the interdict lasted; but on its removal he returned to his see. For the remainder of John's reign he attached himself to his sovereign, and was present at the signature of Magna Charta. Under Henry III. he continued to enjoy the royal favour. His signature to many documents shows his regular attendance on the court; and his name appears at the head of the justices itinerant for the counties of Cornwall, Somerset, Devonshire, and Dorset, in the third year of that reign.[2]

He presided over his see for thirty-seven years, during which he not only united with his brother, Hugh, Bishop of Lincoln, in founding the hospital of St. John in his native place, but rebuilt the beautiful cathedral there, and made several liberal endowments to his church. He died on November 9, 1242, and was buried in the choir of his cathedral under a tomb he had erected during his life, which was ornamented with a flat brazen figure of himself, being one of the earliest recorded instances of that species of memorial in England.[3]

WESTMINSTER, Abbots of. *See* Richard de Barking, Richard de Crokesley.

[1] Rot. Chart. 119. 142. 161.
[2] Rot. Claus. i. 387.
[3] Godwin de Præsul. 371.; Archæol. Journal, i. 199.

WESTMINSTER, EDWARD DE.

B. E. 1248.

EDWARD DE WESTMINSTER was the son of Odo the goldsmith, and having, in 24 Henry III., 1240, purchased the office of Fusor, or melter, of the Exchequer, for twelve marks of silver which he paid to Odo, son of John, who was proceeding to the Holy Land [1], soon established his character so well, that in 30 Henry III. he and the Abbot of Westminster were appointed treasurers of a new Exchequer the king had founded for the receipt of monies for the fabrick of the church at Westminster, or, as they are called in another record, custodes of the operations there.[2] In 32 Henry III., 1248, Madox introduces him among the barons sitting at the Exchequer; and in the same year, on Ralph de Leicester surrendering the office of chancellor of the Exchequer, the king placed the seal in his custody.[3] In 37 Henry III. he and Philip Luvel were directed by the king to remove all his gold and silver and jewels from Westminster and the New Temple to the Tower of London, but to leave the regalia at Westminster; and two years afterwards the same two had the city of London placed in their hands on occasion of a trangression of the assize, connected no doubt with the city's refusal to be tallaged.[4] So late as 48 Henry III. he is described as a baron of the Exchequer in the attestation of a charter: but he was dead before 51 Henry III., when his son Odo had possession of his office of Fusor, and received permission to appoint a deputy for two years, while he pursued his studies. This office was surrendered in 13 Edward III. by Odo, then called "Magister," who was soon after appointed one of the remembrancers of the Exchequer.[5]

[1] Madox's Exch. ii. 310.
[2] Ibid. ii. 3.; Excerpt. e Rot. Fin. i. 449.
[3] Madox's Exch. ii. 52. 318.
[4] Ibid. i. 270. 712., ii. 248.
[5] Ibid. ii. 265. 310. 319.

WEYLAND, THOMAS DE.

JUST. ITIN. 1272.

See under the Reign of Edward I.

WEYLAND, WILLIAM DE.

JUST. 1272.

See under the Reign of Edward I.

WHITBY, ABBOT OF. *See* ROGER DE SCARDEBURG.

WHITCHESTER, ROGER DE.

JUST. 1252.

ROGER DE WHITCHESTER, so named from that place in Northumberland, was probably the son of Robert de Whitchester, who was sheriff of that county in 5 & 6 Henry III.[1] That he was raised to the bench is shown by fines having been levied before him in Michaelmas Term, 38 Henry III.; and Dugdale first inserts his name among the justices of the bench at that date.[2] It is clear, however, from the Rot. de Finibus, that he was appointed at least as early as October 9, 1252, 36 Henry III., that being the date of the first entry of payments made for assizes to be held before him. These entries continue till August, 1258, 42 Henry III.; but no other fines were acknowledged before him except those in the Term above mentioned.[3] He went the circuit 38, 39, 40 & 41 Henry III., 1254 to 1257. Dugdale describes him as a canon of St. Paul's.[4]

WICHINTON, WILLIAM DE.

JUST. ITIN. 1225.

WILLIAM DE WICHINTON, or Wythintune, for the name is spelled both ways, was no doubt selected as an itinerant

[1] Rot. Claus. i. 459.; Fuller's Worthies [2] Dugdale's Chron. Series.
[3] Excerpt. e Rot. Fin. ii. 141—286.; Dugdale's Orig. Jurid. 43.
[4] Ibid. 21.

justice in the counties of Cambridge and Huntingdon in 9 Henry III., 1225, in consequence of his being at that time seneschall or steward of the great abbey of Ramsey. In the next year he was one of those appointed to assess and collect the quinzime for those counties. His property lay in Northamptonshire, and was seized into the king's hands at the latter end of John's reign, but restored to him soon after the accession of his successor.[1]

WIGHENHOLT, JOHN DE.

JUST. ITIN. 1219.

THE first mention which the records present relative to John de Wighenholt, is his appointment in 15 John as constable of the castle of Wallingford, he being then Sheriff of Berkshire[2]; which office, according to Fuller, he had filled for three years before.[3] He held both till the end of that reign, and during part of the next; and in 17 John was presented by the king to the church of Stokes, in the diocese of Lincoln[4], and became one of the royal chaplains. In 3 Henry III., 1219, he was a justice itinerant in the counties of Wilts, Hants, Oxford, and Berks[5]; being probably named as connected with the latter county, and because it was usual to add a clerical associate. In 11 Henry III. a mandate was addressed to him as a justice of the forests.[6]

WILTON, LAURENCE DE.

JUST. ITIN. 1219.

LAURENCE DE WILTON is another clerical associate of the justices itinerant selected in 3 Henry III., 1219, for Cum-

[1] Rot. Claus. i. 250. 320., ii 77. 146.
[2] Rot. Pat. 109.
[3] Fuller's Worthies, Berkshire.
[4] Rot. Pat. 166.
[5] Dugdale's Chron. Ser.
[6] Rot. Claus. ii. 215.

berland, Westmoreland, and Lancashire.[1] The only previous notice of him is in 7 John, when he obtained, on a fine of two palfreys, the king's charter, confirming to him a certain Stone House, in Cunning Street, York, which Robert de Stuteville had granted to him and his heirs at the annual rent of a pair of gilt spurs.[2]

WILTON, WILLIAM DE.

JUST. 1247. ? CH. JUST. 1261.

OF William de Wilton no earlier information can be traced, than that fines were levied before him in Trinity, 1247, 31 Henry III. They were continued to be so during the two following years up to Michaelmas, 1249, 33 Henry III. In 1248, 1249, and 1250, he acted as a justice itinerant, as his brethren did[3]; but from that date till August, 1253, 37 Henry III., his name does not occur. During the latter and the two following years, there are several entries of payments for writs of assize to be taken before him; and then there is another omission of his name for three successive years more. These payments are resumed in July, 1259, 43 Henry III.[4]; and in the next two years he appears among the justices itinerant: in the last of which, 1261, he is placed at the head of three of the commissions.[5]

On December 11, 1261, 46 Henry III., he had a grant of 100*l.* per annum to support him "in officio justiciariæ;"[6] being the allowance then made to those who held the chief place. Whether the court over which he presided was the King's Bench or the Common Pleas does not distinctly

[1] Rymer's Fœd i. 154.; Dugdale's Chron. Ser.
[2] Rot. de Finibus; Rot. Chart. 163.
[3] Dugdale's Orig. Jurid. 43., and Chron. Series.
[4] Excerpt. e Rot. Fin. ii. 168., &c.; Abbrev. Placit. 134. Dugdale's Chron. Series.
[5] Ibid.

appear; but it is probable that he succeeded Henry de Bathonia, who died in the previous February, and who, there are sufficient grounds to show, was Chief Justice of the King's Bench. That William de Wilton at first belonged to the Common Pleas, has been presumed from fines having been acknowledged before him. But, as none were so acknowledged after 33 Henry III., he was in all likelihood, on his restoration to office (for that he was twice removed there is reason to conjecture), placed in the King's Bench, and continued there till he was raised to the head of it. Writs of assize to be taken before him were granted up to November, 1263, 48 Henry III.[1]

While some of the judges of this period were evidently members of the ecclesiastical body, others did not consider military service inconsistent with their judicial character. According to a manuscript preserved in Leland's Collections, William de Wilton was killed at the battle of Lewes, on May 14, 1264[2]; fighting on the side of his royal master.

He and his wife Roesa had a charter for a market in an unnamed place in Kent, in 41 Henry III., 1256.[3]

WINCHECUMB, ABBOT OF. *See* THOMAS.

WINCHESTEDE, JOHN DE.

JUST. ITIN. 1219.

THE name of John de Winchestede stands the last of six justices itinerant before whom a fine was levied at Westminster in 3 Henry III., 1219[4], but no further mention of him occurs in any of the records of that period.

[1] Excerpt. e Rot. Fin. ii. 407. Excerpt. e Rot. Fin. ii. 245.

[2] Leland's Coll. i. 175.

[4] Dugdale's Chron. Ser.

WINCHESTER, Bishops of. *See* W. de Raleigh, N. de Ely.

WINGHAM, HENRY DE, Chancellor of Exeter, Dean of St. Martin's, and Bishop of London.

Chancellor or Keeper, 1255.

The place of this prelate's birth, according to his epitaph, was at Wingham, in Kent, from which he took his name. He was probably brought up in one of the offices of the Exchequer, since we find him assigned, in 30 Henry III., 1245, in conjunction with John de Grey, the justice of Chester, to assess the tallage for that city.[1] In the same year also, and for the two following years, he was one of the king's escheators; numerous entries on the fine rolls showing that he acted in that capacity throughout the greatest part of England.[2] He was then appointed chamberlain of Gascony, and was employed in two embassies into France. The patent dated July 2, 1253, 37 Henry III., "De provisione facta ad gubernationem regni," when the king left the government in the hands of his queen during his absence, is signed "per manus H. de Wengham,"[3] showing, probably, that he was then connected with the Chancery. It was not, however, till the resignation of the great seal by William de Kilkenny, on January 5, 1255, 39 Henry III., that it was delivered into his custody.[4] The title of chancellor does not appear to have accompanied it, as it is not used in this patent, nor in that in which he resigned the office. A few days after his appointment, the king presented him to the deanery of Tottenhall. On March 6, 1257, he was collated to the chancellorship of Exeter, and soon afterwards was advanced

[1] Madox's Exch. i. 735.
[2] Excerpt. e Rot. Fin. i. 458—464., ii. 4—36.
[3] Madox's Exch. i. 68. [4] Ibid. i. 69.

to the valuable deanery of St. Martin's. On May 7, 1258, 42 Henry III., being laid up with illness, the great seal was temporarily placed in the hands of Walter de Merton; but he was not long incapacitated, inasmuch as he was one of the twelve selected on the part of the king when the Mad Parliament of Oxford in the following June appointed twenty-four barons to draw up provisions for the government of the kingdom. Henry de Wingham was continued in his office on swearing not to put the seal to any writ which had not the approbation of the council as well as of the king.

Soon after this, on the flight of the king's half-brother, Ethelmar, who had been elected Bishop of Winchester, the monks of that church chose Henry de Wingham for their bishop, but he, being unwilling to mix in their dissensions, and doubtful perhaps of King Henry's real approbation, declined the proffered mitre; alleging his insufficiency. This, however, did not prevent his acceptance of the bishoprick of London, to which he was shortly afterwards appointed; and he was accordingly consecrated on February 15, 1260, 44 Henry III. On the 18th of the following October he retired from the Chancery, and was succeeded by Nicholas de Ely; but the king's approval of his conduct was shown by the permission he received to retain his two deaneries and all his other ecclesiastical preferments, consisting of ten valuable prebends and rectories.

This discreet and circumspect courtier died on July 13, 1262, and was buried in his own cathedral.[1]

WOLLAVESTON, or WOLLAVINTON, HENRY DE.

JUST. ITIN. 1268. ? JUST. 1269.

HENRY DE WOLLAVESTON, called also Wollavinton, is mentioned under the former name as a justice itinerant, in

[1] Godwin de Præsul. 182. 221.; Le Neve, 88. 177.; Weever, 359.; Brady's England, i. 625. 630. 635., Appx. No. 188. 199, 200.; Rapin, iii. 133.

52 Henry III., 1268, into eleven counties; and again, under the latter name, in 56 Henry III., 1272, into Essex.[1] From May, 1269, 53 Henry III., there are entries of payments made for assizes to be held before him, under variations of the latter name, in each year, till May, 1272, 56 Hen. III.[2]; which raises a question whether he may not be considered as a regular justicier. There are parishes of the name of Woolavington both in Somersetshire and Sussex, from which the latter name might have been derived; but if the former is the correct one, it was probably taken from the manor of Wollaston, in Staffordshire, where a family so designated was seated at this period, which is now represented by Colonel Wollaston, of Shenton Hall, in Leicestershire.[3]

WORCESTER, Bishops of. *See* Walter de Cantilupe, Nicholas de Ely, Godfrey Giffard.

WYMUNDHAM, THOMAS DE, Precentor of Lichfield.

B. E. 1258.

The business committed to the charge of Thomas de Wymundham, in the Exchequer, is indicated by a mandate from Henry III. to the treasurer and chamberlains to pay to him thirty shillings, for writing thirty pair of statutes, "triginta paria statutorum," to be sent to all the justices in eyre and sheriffs throughout the realm, and also four shillings and six pence for the parchment on which they were written.[4] In 42 Henry III., 1258, he is inserted in Madox's list of barons of the Exchequer, being so named in the records of the court. Dugdale mentions his appointment as treasurer of

[1] Dugdale's Chron. Series. [2] Excerpt. e Rot. Fin. ii. 494—566.
[3] Burke's Landed Gentry.
[4] Fourth Report Public Records, App. ii. 152.

the Exchequer in that year, but I do not think it took place till a subsequent date; probably in 50 Henry III., when he was addressed by that title, and the king granted to him the first wardship that should fall in worth 50*l.* a year, together with the marriage of the heir, unless he should first provide him with some dignity, prebend, or benefice of the annual value of two hundred marks. In less than two years he accordingly received the precentorship of Lichfield, being first so called in a record of 52 Henry III. This is the last year in which he is described as treasurer, John de Chishull succeeding him. His salary appears to have been fifty marks. According to Le Neve, he was alive in 1275, 3 Edward I.[1]

WYVILLE, JOHN DE.

? B. E. 1250. JUST. 1256.

DUGDALE places John de Wyville among the barons of the Exchequer, in Michaelmas Term, 37 Henry III., 1253; but he perhaps sat there as one of the justices of the Jews, in which character he is named by Madox among the barons, two years previously.[2] He was constituted a justice (of the Common Pleas, according to Dugdale) on February 1, 1256, 40 Henry III., from which time till February, 1263, there are numerous entries of payments made for assizes before him: and up to the same period he was present at the acknowledgment of fines. In an undated letter he begs the king to excuse him from the office of Justice of Oyer and Terminer on account of his bodily infirmity and poverty: but he acted on the iters in 40, 44, and 47 Henry III.[3] His

[1] Dugdale's Chron. Series; Fifth Report Pub. Rec., App. ii. 63.; Madox's Exch. ii. 42. 48. 52. 186. 307. 319.; Le Neve, 128.

[2] Dugdale's Chron. Series; Madox's Exch. ii. 318.

[3] Dugdale's Orig. Jurid. 43., and Chron. Series; Excerpt. e Rot. Fin. ii. 280—391.; Fifth Report Pub. Rec., App. ii. 75.

death may be fixed about the latter year. In 49 Henry III. his executors obtained two writs "de termino," by which it appears that his property was in Hampshire.[1] He was probably the John de Wyvill mentioned in a petition to parliament in 7 Edward III., wherein he is stated to have ousted the Abbot of Quarrere from the manor of Whitfield, in the Isle of Wight.[2] The baronetcy of Wyville in Yorkshire (extinct in 1774) may have been derived from his lineage: and, if so, the family still survives at Burton Constable, tracing its descent from Humphrey de Wyvill, of Slingsby Castle, who came over with the Conqueror.[3]

YATTINDEN, NICHOLAS DE.

Just. 1270.

Writs of assize were addressed to Nicholas de Yattinden from September, 1270, to August, 1271, 54 and 55 Hen. III.[4]; and in the next year a record of a trial before him "et sociis suis" occurs, in which he is called "justic. domini regis."[5] In 36 Henry III., he was pardoned *55s. 2½d.* out of the issues of the lands of Stephen de Hampton, the custody of which he had till the heir was of age. He married Aliva, the widow of Henry de Bathonia.[6]

YORK, Archbishop of. *See* Walter Giffard.

YORK, WILLIAM OF, Provost of Beverley, Bishop of Salisbury.

Just. Itin. 1227. Just. 1231.

William of York was brought up as an ecclesiastic and a lawyer; and in 1226, 10 Henry III., was granted *10l.* for

[1] Excerpt. e Rot. Fin. ii. 428. [2] Rolls of Parliament, ii. 70. 188.
[3] Grandeur of the Law, 1684, 248.; Burke's Landed Gentry.
[4] Excerpt. e Rot. Fin. ii. 522—546. [5] Abbrev. Placit. 183.
[6] Excerpt. e Rot. Fin. ii. 141.; Blomefield's Norfolk, i. 185.

his expenses on an iter into Lincolnshire[1], although I do not find any record of his being a justice itinerant at that time. His name, however, occurs in that character, in Cumberland and the liberties of the bishoprick of Durham, in 11 and 12 Henry III.[2]; about which time he was probably appointed one of the regular justiciers at Westminster. Fines were levied before him from 15 to 24 Henry III., 1231—1239.[3] In 16 Henry III., he acted as a justice itinerant in several counties; so also two years afterwards, 1 August, 1234, when his name stands at the head of some of the commissions. On July 6 of the same year, on the nomination of three judges of the Common Pleas, they were directed to be admitted by Robert de Lexinton and William of York, who were most likely the two senior judges, and perhaps presided in the two branches of the court. This receives some confirmation from the fact that the former was placed at the head of the justices assigned for the northern counties, and the latter at the head of those for the southern counties, who were sent throughout England in 1240, 24 Henry III., under the pretence of redressing grievances and easing the people, but with the real object of collecting money for the royal treasury by means of fines and confiscations. About this time he was made provost of Beverley; was subsequently rector of Eton and of Gatton; and in December, 1246, 31 Henry III., was elected Bishop of Salisbury. His elevation to the episcopal bench does not appear to have removed him from his judicial duties; as in 35 Henry III. he stands at the head of a commission to hear the pleas of the city of London, which were wont to be decided before the justices itinerant. Matthew Paris mentions him as most learned in the laws; and a great favourite with

[1] Rot. Claus. ii. 119.
[2] Ibid. 213.; Dugdale's Chron. Series.
[3] Dugdale's Orig. Jurid. 43.

the king. Of the latter several other proofs exist, besides his advancement in his two professions, in the grants he received of valuable wardships.

He died on January 31, 1256, 40 Henry III., and was buried in his own cathedral.[1]

ZOUCHE, ALAN DE.

? Just. 1250. Just. Itin. 1262.

Roger de Zouche, of Ashby, in Leicestershire, and of North Moulton, in Devonshire, the father of Alan, was grandson of the Earl of Brittany.[2] He died about 1238, 23 Henry III., as in that year his son Alan was permitted to pay the debts his father owed to the king, by the same instalments as had been fixed before his father's death.[3] By a patent of 34 Henry III. m. 3. the custody of all the king's lands in Cheshire and North Wales was granted to him. This Dugdale notices in his Baronage; but makes no mention there of his being a justice of the King's Bench, although he has so introduced him into his Chronica Series, from a patent of the same date, adding the words "et ejus ampla potestas"[4]; implying apparently that he was chief of that court. The two quotations are no doubt taken from the same grant which included in his office of Custos of Chester the power also of acting as king's justice there[5], to which the latter words refer. It may be questioned, therefore, whether he was one of the justices at Westminster, as his name is not otherwise mentioned among them. He only once acted as a justice itinerant, and that thirteen years

[1] Godwin de Præsul. 344.; Le Neve, 257.; Excerpt. e Rot. Fin. i. 292. 431.; Abbrev. Placit. 106. 110, 111. 115. 120.

[2] Dugdale's Baronage, i. 688.

[3] Excerpt. e Rot Fin. i. 315.

[4] Dugdale's Chron. Series.

[5] Abbrev. Placit. 142, where he is called Justice of Chester.

afterwards: viz., in the counties of Huntingdon, Buckingham, and Northampton[1], in 47 Henry III., being one of the years in which he was sheriff of the latter county; an office which he held from 45 to 50 Henry III.[2] In the former of these years, 1261, he was constituted justice of all the king's forests south of Trent[3]; and by an undated letter among the public records he appears at one time to have held the office of Justiciary of Ireland.[4]

After the battle of Evesham, he was one of the persons nominated to carry into execution the dictum of Kenilworth; and was about the same time appointed constable of the Tower of London, in which latter character, no doubt, it was that Stowe calls him custos of that city in 1267. Maitland inserts him in his List of Mayors both in 1267 and 1268; and both these authors allude to the site of his house in Lime Street.

His death arose from a broil touching some title to land with John Earl Warren, who assaulted him and his son Roger in Westminster Hall, and grievously wounded both. Some accounts say that Alan was slain on the spot, and others that he did not die till two years from that time. It is certain, however, that his death occurred before October 20, 1270, 54 Henry III., his son Roger doing homage on that date for the lands of his father, "lately deceased." Earl Warren was compelled to make satisfaction for his offence in that year; and a fine of ten thousand marks was imposed upon him.[5]

He married Helena, one of the daughters and heirs of Roger de Quincy, Earl of Winchester, on whose death in 1264 he had livery of her share of the inheritance. Besides the above-mentioned Roger, they had a younger son named

[1] Dugdale's Chron. Series.
[2] Fuller's Worthies.
[3] Excerpt. e Rot. Fin. ii. 369. 404. 409.
[4] Fourth Report Pub. Rec., App. ii. 145.
[5] Dugdale's Baronage, i. 78. 688.; Excerpt. e Rot. Fin. ii. 525.

Eudo, who, by his marriage with Milisent, widow of Roger de Montalt, and one of the sisters and coheirs of George de Cantilupe, Baron of Bergavenny, became Lord of Haryngworth and many other manors. His son was summoned to parliament in 2 Edward II., and the barony continued in the male line till 1625, when it fell into abeyance between the two daughters of Edward, the twelfth baron; and so remained till August 27, 1815, when it was terminated by King George III. in favour of Sir Cecil Bishopp, the representative of the elder sister. On his death, November 11, 1828, he left only two daughters surviving him; and the abeyance of the title which thereupon again occurred was terminated in the following February in favour of the elder, the present baroness, the wife of the Honourable Robert Curzon.

The barony of Zouch of Ashby, to which Roger, the eldest son of Alan, succeeded, failed in the male line on the death of his son Alan, in 1314, and is now in abeyance among the representatives of his three daughters.[1]

[1] Dugdale; Burke's Peerage; Nicolas's Synopsis of the Peerage.

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